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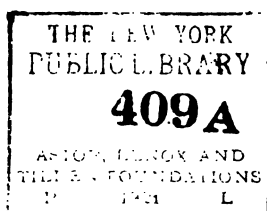
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TO SOCIAL WORKERS

THAT is to say, to every man or woman who, in any relation of life, professional, industrial, political, educational, or domestic; whether on salary or as a volunteer; whether on his own individual account or as a part of an organized movement, is working consciously, according to his light intelligently, and according to his strength persistently, for the promotion of the common welfare—the common welfare as distinct from that of a party or a class or a sect or a business interest or a particular institution or a family or an individual.

There is no need to disparage the hardest kind of work for one's self or his family or his business or his institution or his church or his party; but in so far as the point of view is selfish, exclusive,

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institutional, sectarian, or partisan, the worker is not a social worker. In so far as he rises above his private and selfish interests, and considers the effect of what he is doing, or leaving undone, on the general welfare, he takes the social point of view and brings himself consciously or unconsciously into the ranks of the nation's social workers.

One of the extraordinary developments of the opening decade of the twentieth century is the extent to which the multitude of social workers, engaged in various occupations, enrolled under various banners, have made mutual discovery of one another's existence, have become aware of one another's common aims and aspirations. They have found themselves, so to speak, and in doing so have found that this social point of view, this mutual interest in social work, differentiates them not only from the exploiter but from the neutral and indifferent member of society.

This new view of life and of human relations is at once conservative, constructive, and wholesome; radical, revolutionary, and disturbing;

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absolutely non-partisan, catholic, and social; comprehensive in its grasp and yet sternly practical and acquainted with the humility of the scientific and inquiring mind. It is a view which tempts to no violence and yet leaves no wrong permanently on the throne; a view which exalts the family, the state, religion, security of life and of property, and yet insists that all institutions are made for men and not men for institutions; a view which opens our eyes to the evils which are, but yet does not seek to make them, in some mystical sense, symbols of imaginary evils which are not.

Social workers are not Utopians. They are sober citizens of a real commonwealth. Yet the community which they have in their mind's eye, as the not too distant goal of their diversified and yet co-ordinated endeavors, is one in which premature death shall have been conquered, in which feeble-mindedness shall have been abolished, in which childhood shall be protected and nourished, in which neither men nor women shall be exploited for gain, in which toil though it may

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still be severe will not be destructive, in which heredity and environment shall be joined in a holy wedlock of which high physical and moral character shall be the offspring, in which there shall be leisure and opportunity for the growth of the spirit, in which always and everywhere men shall rule things, being worthy to rule and under no domination save that of loyalty to the highest and best that the mind of man has conceived.

To the social workers of the nation, whose spirit I have sought in these addresses to interpret, I venture to dedicate the volume in which they are collected. To social workers, at any rate, the unity of the problems which they discuss will be apparent. They have long been accustomed to discern the interlocking relations of diverse problems and to say with Terence, *Humaní nīhīl a me aliēnum puto.*

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I

THE CONSERVATION OF HUMAN LIFE

Prepared for the Minnesota Conservation and Agricultural Congress held in St. Paul in March, 1910. Read, in the absence of the writer, by Hon. A. O. Eberhart, Governor of Minnesota.

I

THE CONSERVATION OF HUMAN LIFE

EXPLOITATION and conservation are the master words of our deliberations. These are not new words, but it is a new thing to put them together, back to back. We seem to have arrived in the history of civilization at the point where two mighty currents of social and political policy are about to unite. Exploitation the world has always known. Ancient empires as a matter of course exploited their own resources and the resources of conquered nations and provinces, and they fell when there were no fresh resources to exploit. They wept, and had reason to weep, when there were no more worlds to conquer. Colonization in former generations meant exploitation, first of natives and then of colonists.

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Our own forefathers talked bravely about political representation, but their half-conscious ultimate determination, being free-born Englishmen, was that they would not be exploited by their brethren across the seas. Colonial trade and taxation were exploitation scarcely veiled, while slavery and the slave trade represented that policy naked and unashamed. All through recorded history we find, now in one form and now in another, the using up of physical resources and of human energy in reckless disregard of individual and collective rights and interests. We find also that men revolted against the hardship and injustice of these exploiting policies, and we see evidences of more or less blind and bitter struggle between the exploiters and their victims. Exploitation and the struggle against it interpret more of human history than any other key which the historians have offered us. That is one of the two great converging currents of social policy. It has written a story of stupid waste, of brutal injustice, of ruthless tyranny, of military and commercial conquest.

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The policy of conservation is of modern growth. It does not represent primarily the struggle of the exploited in their own defense. Conservation is not born of a desperate attempt to save a few remnants from the despoiler. It is doubtful if any exploited peoples could ever have worked it out. Rather it is a new economic policy, a new way of looking at all physical and human resources, a new basis for social relations, even for international relations. Its natural starting point is with a strong, free, and equal people, conscious of great unexploited resources and aroused to the great outlook of the future if those resources are husbanded and conserved, if they are utilized for the common good, and whenever possible increased as they are used.

Conservation is a social, as exploitation is an anti-social policy. The striking thing, the inspiring thing, about our situation here in America, and especially in the free and resourceful atmosphere of the great Northwest, is that the fight against exploitation and the conscious adoption of a policy of conservation come at the same mo-

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ment, come as two aspects of a single issue. These are the two great streams of history which here and now unite. This is the stirring moment in the history of civilization, when we see no longer a few weak slaves, or a conquered people struggling in vain against exploitation, but rather intelligent and dominant citizenship arising as a giant in his wrath—let us say rather as a strong man in good-humored consciousness of his strength—to put an end to exploitation. And this democracy of ours is to put down exploitation not by fighting or punishing anybody—if that has to be done it is only an incident—but by changing the laws and the administration of the laws, by preventing the prosecution of exploiting policies, by detecting instantly exploiting acts and dealing with them appropriately as the case may demand.

Thus for us exploitation and conservation come to stand respectively for very definite things. They become sharply contrasting words, each meaning precisely what the other does not, and each requiring the other as a background to make its own meaning perfectly clear. Each embodies

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a whole series of conceptions, interests, public policies, legislative acts, and court decisions. You have already applied the test of these words to physical resources. You have determined not only in the interests of remote posterity, but in your own and your children's interests, to put an end to exploitation of forests, soils, mineral ores, and natural power, and to work out policies of conservation. This social control of natural physical resources you rightly deem to be essential to your dignity as a state, to your physical and moral well-being, demanded by justice, dictated by sound public economy, and warranted by the political institutions, the constitutions and laws, under which we live. We suffer for the sins of omission of our fathers in this respect, and for our own sins, but our neglect is not irreparable, and we have announced, as clearly as party platforms, and statutes enacted or pending, and court decisions made or certain to be made, can announce anything, that we shall repair this neglect and lay broad the foundations for effective conservation in future years. You in this state have

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less to answer for than some of your sister commonwealths. Your forests may have been exploited but your school funds at least are intact. An eastern journal says that you are to be your own Rockefeller. Suggestive as that is, I think that it is an under-statement.

Conservation and development, educational, financial, agricultural, and industrial, rather than exploitation and incidental destruction, are to be the watchwords of our new social democracy, and the political banners on which these watchwords are honestly inscribed are the banners under which the young men of the republic will enroll themselves, whatever resemblance they may bear or not bear to the traditional banners under which we and our fathers have been proud to march in the years that have gone.

You have applied these watchwords, as I have said, to physical resources, but clearly you have perceived, it cannot have escaped your attention, that there is also a human side of the policy of conservation. Life is more than meat and the body than raiment, and if our food supply and

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our lumber supply and our coal and iron supply must be conserved and developed instead of exploited, as they must, how much more must the bodies and the lives of our people no longer be exploited but conserved. The most important part of conservation, merely from the standpoint of dollars and cents, is the preservation and development of strong, healthy bodies, a decent, self-respecting, and dignified status for working-men, and a hopeful outlook into the uncertain but friendly future.

But I do not speak from the standpoint of dollars and cents—save as they symbolize real wealth, genuine welfare, substantial prosperity, of which the test is life and not property. A religious writer insists that the force of the religious spirit should be bent toward asserting the supremacy of life over property. "Property exists," he says truly, "to maintain and develop life. It is unchristian to regard human life as a mere instrument for the production of wealth." It is not merely unchristian; it is unjewish, unmohammedan, unintelligible, and unhuman.

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I am not dealing with figures of speech but with tangible realities. The conservation of human life is a definite public policy demanding appropriate legislation and court decisions, but demanding as the first step immediately ahead frank and searching public discussion. I invite your attention to three of its aspects: the labor problem in general, the child-labor problem, and the problem of woman in industry.

The exploitation of labor is as patent and demonstrable a fact as the exploitation of physical resources. It has continued in this country for a longer time and been carried to greater lengths than would otherwise have been possible because of the fact that in the main our common labor is immigrant labor. We have thought of the laborers as foreigners, not as neighbors. The exploitation of children is going on under our eyes in mine and factory, in cotton mill and department store and messenger service, and the evil product of that policy is seen in the middle-aged old men, worn out before their time, and in the young men and girls who have been robbed

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of their heritage of childhood, of their years of education and training, of the physical and moral protection which should have been guaranteed to them, of the ideals and standards and safeguards for which a policy of conservation stands. The exploitation of woman, shameful and destructive even beyond the exploitation of male labor and of childhood, if that were possible, is inevitably following the transfer of woman from the home to the factory, except in so far as we recognize that woman at work is not man at work, and that woman must be treated even when she is at work not merely as a worker but as a woman at work.

We are failing to conserve human life first of all by our inadequate program in relation to the risks of industry. Injuries and fatalities in mills and mines and on railways are more numerous than is necessary, and the reckless killings and maimings are too expensive to be permitted to continue. We do not compare well in this respect with the most reckless and careless of the industrial countries of the old world. Statistics are readily accessible showing the much greater

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relative number of fatalities and injuries in our factories, on our railways, and in our mines. In the course of the Pittsburgh Survey it was discovered that by industrial accidents Allegheny County alone loses more than five hundred workmen every year,—nearly half of whom are American born, so that evidently we cannot lay to our soul the comfort that it is only the immigrant who is killed. Seventy per cent of these men are workers of skill and training, and sixty per cent of them are young men, who have not yet reached the prime of life. Youth, skill, strength, human power, is what we are losing.

It is not, as is sometimes said in extenuation, that in America we value life less. On the contrary, human life is worth more here in this country than anywhere else. The explanation is simply that we have assessed the damage in the wrong place. The loss falls upon the widow and orphan, upon the aged parents or other dependents, or sometimes upon hospitals and charities. Now unfortunately these are not the people who determine the degree of exposure to injury and

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decide about the introduction of protective devices. These are not the people who make the rules and regulations for mine, railway, and factory. These are not the people who select foreman and superintendent and fellow servants and who make the wage contract. The widow pays the bill, but the control resides elsewhere, in the officers of the corporation, in the directors, or ultimately in the stockholders.

This way conservation does not lie. One little change only is necessary: namely, that control and the penalty for its failure be re-united; that compensation for life destroyed and for limb lost and for health injured as a direct result of the necessary risks of industry shall be made by those who control industry in the first instance, and borne eventually, as the risks of injury to plant and machinery are borne, by the consumer of the product. In other words, the conservation of life requires that the financial loss involved in deaths and injuries come from the undivided profits of industry, and that employers' liability insurance shall be, not as at present an

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insurance against the casualty of a lawsuit, but real insurance against the casualties of industry.

It is estimated that in my state when employers pay to the liability companies four and a half million dollars the companies pay to injured workingmen and their families one and a half million. The remaining three millions go for expenses of administration and lawsuits. Under this extraordinary system an injured workingman has indeed dangling before his eyes the possibility of a verdict for handsome damages. If he can satisfy a court and jury that there was no negligence whatever on his own part or on the part of one of his fellow-employees, and that various other more or less fictitious assumptions do not apply in his case, then he may, after some years of expensive and embittering litigation, be able to share with his lawyer a sum which might have been large enough if paid promptly and as a matter of course. Such a system leads inevitably to false claims and perjury on the one side and to callousness and injustice on the other. It leads to bitterness, resentment, and implacable hos-

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tility. Now that is not conservation. That is exploitation. It is not satisfactory and ought not to be satisfactory to employers, and it is certainly not satisfactory to employees.

Consider how it actually worked in the case of the 526 men killed in Allegheny County in the year of our study. Three hundred and four of these men were contributing to the support of others, two-thirds of them married men. Eighty-eight of these families received not one dollar of compensation from the employer. Ninety-three more received less than a hundred dollars, or enough to cover funeral expenses. Sixty-two families received between one and five hundred dollars, and sixty-one received more. In other words 181 families, sixty per cent of all, were left by their employers, left by their industry, to bear not only the overwhelming personal loss which cannot by the most ingenious estimates be reduced to a financial form, but the entire income loss from the accident; and only sixty-one families, twenty per cent, received sufficient compensation for the death of the regular wage-

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earner to approximate one year's wages at the lowest rate in the group.

Even more fantastic, if possible, were the payments for injuries. Within three months of 1907 eleven men settled with their employers for the loss of an eye. One of them received \$200; two each \$150; one \$100; one \$75; two \$50; one \$48; and three nothing at all. For loss of an arm one man received \$300 and two received nothing. Two employes received a hundred dollars each for the loss of two fingers, and five others for an identical injury received nothing. For the loss of a leg the sums paid in six instances were \$225, \$175, \$150, \$100, \$55, and nothing. An assured compensation for every case of accident, on a reasonable schedule, as in England, Germany, and every other great industrial country, would provide a more equitable distribution of necessary losses, but, what is far more important, it would tend to save life.

The difficulty is that if we have thought at all of the economic loss involved in industrial accidents, or in a typhoid epidemic, we have been apt to

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think only of the employer's loss. It is an expense and a nuisance of course to replace the employe. A day's or a week's wages go down in the ledger to the expense account. The enormous cost to the family, the loss of wages, the expenses of illness, the impairment of strength, the interference with the plans and the thwarting of the ambitions of the family—these losses also we must learn to estimate and to take over into the expense ledger of society.

I venture to refer to another aspect of the labor problem which is not, as I see it, a matter for legislation, but rather for the clarifying and crystallization of public opinion. It involves equally with that which we have been considering the policy of conservation in its broad social significance. We are all interested in the maintenance in this country of a high and reasonable standard of living. I do not mean an extravagant or luxurious standard of living. I believe, as our New England progenitors believed, in plain living and high thinking. I wonder, however, whether those who love to roll this phrase under the tongue as a

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justification for low wages in modern cities, recall vividly what this plain living of the New England town usually included. It meant the ownership of a modest but spacious house as a matter of course. It meant a plain but substantial diet of fresh vegetables, meat, fruit, cream, doughnuts, and pie. Make no mistake! The plain living was not to be on a starvation diet. Plenty of warm clothing, ample fuel, surplus income sufficient to pay the doctor, decent furniture, leisure, a generous margin for all ordinary hospitality, and a Harvard education for at least one of the boys, were certainly in the minds of the advocates of that good old-fashioned plain living which went along with high thinking. "Over the hill to the poorhouse" was not contemplated as one of its features. That would have disturbed the high thinking and was therefore below the level of plainness which the most austere transcendentalist would have desired. It makes little difference whether we call such a manner of life as that plain living, as our fathers did, or a high standard of living, as a modern economist might. It is, at

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any rate, just such a life that we covet for those who toil: a home; plain, substantial, and sufficient food; clothing for decency and fuel for warmth; health, recreation, education, leisure, and a chance for high ideals; the physical comforts and the means of spiritual life.

The frontier has gone. Free land is no more to be had. The welfare of labor depends not on an external alternative but on the ordinary income of the day's wage. In order to ensure plain living, in order to ensure a high standard of living, it is necessary to have a living wage, adjusted not to the needs of a single man in a boarding house or a box car but to the needs of family life. While children are under the working age that income should normally come from the male head of the family. This notion of the standard of living is one of the clues to the policy of conservation. It requires steadiness of employment, with all the advantages to both employer and employe which that involves. It requires insurance of some kind, state or voluntary, against the premature death or the premature disability of the wage-earner.

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It requires a better distribution of population between east and west, between north and south, between city and country, between seaport and inland, between manufacturing and agricultural occupations. It requires the conquest of infectious disease and the safeguarding of the public health. All these are conservation policies. No other word so completely unifies and describes them. All of them are, however, partial and in themselves considered incomplete expressions of that policy. The main thing is for us to get from the workingman's point of view a glimmer of appreciation of the substantial value of life, of health and strength, of sturdy character and normal, rational standards, in order that in the light of that glimmer of understanding we may make up our minds on each of these particular issues as they arise.

The exploitation of children resembles nothing so much as the indiscriminate destruction of young trees for pulp. Our factories have created a market for young and nimble fingers, as the newspapers have created a market for the sapling.

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The immediate transaction seems profitable enough on both sides. But if we would have full grown trees or full grown men we must look beyond the immediate transaction. We must shape our forestry and our industry as well in the light of the future, with a view to getting the utmost out of our resources. To get the most out of our children is a great deal more important than to get the most out of our trees. The pertinent inquiry with reference to our children is therefore: To what extent does exploitation still prevail? I answer: Wherever girls leave the shelter of the home under eighteen years of age there is grave risk. Wherever boys under twenty-one are used in the telegraph and district messenger service there is danger. Wherever boys under sixteen work regularly at night there is danger. Wherever boys begin to work at fourteen or younger and work for such long hours that they have not energy and opportunity for further education, there is danger. In the absence of vocational trade instruction there is a failure of the policy of conservation. Get your children out of all wage-

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earning employment and then bring back the occupation on an educational basis if you would surely cease to exploit and begin to conserve the best in the childhood of the nation. Get Congress to pass speedily the bill for a Children's Bureau, creating in the federal government an agency which will concern itself continuously and effectively with the vital problems relating to the race itself, orphanage, illegitimacy, the birth rate, child labor, child dependence, child delinquency, and the like, even as we are working at forestry, fisheries, mines, foods, and agriculture.

I have kept for the end the most important of the three aspects of exploitation and conservation, namely, the exploitation and the conservation of woman. We have been, I think, a little misled by some perfectly accurate but incomplete expositions of that revolution now in progress known as the invasion of industry by women. It is said that woman is doing what she has always done except that she is doing it now in the factory instead of the home. She made clothes formerly by the aid of the hand-power loom and the spin-

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ning wheel and the knitting needle and the instruments of her work basket. After the cloth was produced in the factory she still made it up at home, and even after the garments themselves were made in the shop, she still mended and darned and made over, so that the garment competed with the cat in the number of its lives, and all but one of them were fairly credited to the housewife. Now the factory presses hard even upon this stronghold of domestic industry. Stockings are bought for less than the cost of darning, and hand-down clothing tends to become obsolete. With respect to food a similar change takes place. We buy no more flour, but bread; no more fruit to be canned and preserved, but canned and preserved fruit. The poor live from the delicatessen store rather than from the market. They pay more, of course, but probably not more than the cost of the raw food materials, plus the cost of fuel and a kitchen, plus the labor which cooking requires and which is now in demand in the factory for a money wage.

The development of the manufacture of goods

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ready for consumption—food, clothing, and furnishings—and the cheapening of products have lessened the pecuniary value, the more obvious economic value, of woman's labor in the home. It would be too much to say that these changes have destroyed that value entirely. The competition of manufactured products has not gone quite so far. The care of children and provision for the physical comfort of adults still demand some of woman's attention, but the field of such ministrations has undoubtedly been reduced, and a vast amount of labor, economically productive labor, formerly absorbed by the demands of home life, is now free to seek a market outside the home. That market is not sought in vain. Coincidentally with the invasion of the home by manufactured clothing and prepared foods, and as a part of the same process, the factories in which these goods are produced have opened their doors to girls and women. Woman is deprived of a large part of her traditional occupation in the home by the aggression of manufactured goods offered in the stores and markets, ready to be used just as

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they are. At the same moment she is forced or enticed into wage-earning industries by the development of machinery and mechanical processes for which she is in some respects better fitted than her male competitor, or predecessor. It is true, therefore, that woman has followed her work out of the home and into the factory, but that is not as simple as it seems. The factory with its exactions and its hard conditions is not the home with its exactions and its hard conditions. In the home was one woman and her daughters. In the factory is the superintendent and his hands. The home meant above all things conservation of woman. The factory has not meant that at all.

Here again, then, at a critical point in the history of the world's industry, the alternatives of exploitation and conservation are presented to us. In the generations past woman may have been exploited in other ways, but she has had at least the shelter of family life. Domestic industry may have made severe demands, but at least she has had protection against such dangers as now

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threaten her health, her leisure, her child-bearing and child-rearing capacity, her traditional custodianship of what is best and holiest in the spiritual heritage of the race. She has been pushed out from the home, and the change is one not likely to be reversed. We must therefore now look the situation squarely in the face and ask ourselves whether it is to be exploitation or conservation; and if conservation, what the special protection is that is required, what safeguards are demanded to prevent destruction of life, degradation, and racial deterioration.

Society has vastly more at stake in the conservation of women than in the conservation of men. I do not enter into the complicated problems of heredity, but there will be no dispute that the mother has vastly the greater influence upon offspring both before and after the crisis of birth. In the two years after the inception of life dependence is so intimate upon the mother that everything which influences her health and nourishment, her comfort and physical well-being, and even her mental and moral condition, is neces-

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sarily reflected in the future life of the child. Elementary considerations of racial conservation apply then with redoubled force to the protection of woman and to the rational development of all her womanly resources.

That there is a difference in the strength and endurance of man and woman, that woman does not recover as easily as man from physical breakdown, that there are processes which man can stand which woman cannot stand without injury, that the rhythmical nature of woman's constitution should be recognized, and that the virtue of woman employees should not be subjected to the temptations or threats of men in authority over them, are among the elementary principles of a policy of conservation of woman. In its entire sweep such a policy goes back to the special education of girls. It embraces the demand for a prolonged childhood and youth in the shelter of the home. It utilizes this time of education and protection to teach some subjects which are still forbidden, such as sex hygiene, and those economic laws and principles on a knowledge of which

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their future welfare as wage-earners will depend, as well as to teach more thoroughly other subjects, such as appreciation of books, music, art, and nature, upon which their enjoyment of life will depend, whatever their vocation. It follows them into the office and factory with special legislation, but even more with traditions and instincts in their male associates and superiors as to what is due their sisters, their daughters, and their future wives. At the end of their service in shop or office or class room the policy of conservation will care for them still, if not by marriage then by pensions, by insurance, by some kind of income free from degradation, free from patronage, which recognizes still that the retired worker is a woman and not to be thrown upon her own resources—unless those resources are adequate.

Consider the waterfall on which manufacturers have fixed their covetous eyes! Here is unused, unexploited power. We will make it turn the mighty turbine wheel down there that we may have unheard of quantities of light and heat and electric current. No, says the idealist, you shall

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not have our waterfall. The unspoiled beauty and majesty are worth more than your power. A fig for your beauty, cries the capitalist, I will have my power. And when they have done with their arguments, the sober voice of the people, loving beauty and acknowledging the need for industrial power, gives judgment. We will use the power of the waterfall but we will conserve it. We shall not let the capitalist wantonly destroy and disfigure. We shall not set up even our magnificent waterfall as an idol of beauty to be worshipped blindly and incontinently, but we shall do what we can to preserve and enhance its beauty and there will be no selfish exploitation.

Even so we might perhaps listen to the idealist who can see no hope for the race if woman works. All romance, all poetry of life, all feminine charm, are to disappear if we do not keep women out of industrial pursuits. But it is too late. The capitalists here also have detected unused, unexploited power. As they seize the waters of Niagara so they seize upon the deftness and the cheapness of the girls and women; and the

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economic forces of the generation are with them. Futile is the cry of idealism that the charm and beauty of womanhood must be preserved unspoiled by keeping women out of industry. Futile also, however, will be the attempt to exploit without restraint or limitation this new human power, this new industrial asset. The sober voice of the people will here again give judgment. You may use this power but you must conserve it; you may not misuse or exploit it. You must preserve and enhance the beauty and the charm of womanhood even while you employ the reasonable working hours of the day.

The æsthetic charm of woman is not her only claim upon humanity, and it is not the only issue at stake in this crisis. I hope that I do not exploit my metaphor unduly when I point out that the waters of the rivers and the lakes and the sea are beautiful but that their service does not end with their gift of beauty. They are the complement of the land, essential to its every function. Agriculture, manufacture, commerce, all depend upon the water. The land without its bride, the waters

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of the air and the sea, would be barren and pitiable indeed. Even so there are vital, fundamental issues for the human race in the conservation of woman far transcending the æsthetic qualities which we prize so highly. If we have woman worked, overworked, worked out, exploited, we shall have woman robbed of those ethical instincts, those heroic powers of endurance, that capacity for motherhood, to which civilization owes more than to capital or to invention or to physical resources.

Here we have come to the very heart of our problem. Adult women will not be kept out of stores, shops, and factories, and there is no sufficient reason for desiring that they should. But their employment must be surrounded by such safeguards, restricted within such hours, aided by such mechanical devices and instruments, as a sound conservation policy requires. Personally I believe that six hours is a reasonable day for woman and that ten hours is absolutely unreasonable. Professor Patten's suggestion that arrangements be made to employ two forces

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in factories working six hours each instead of one force working ten hours, is in the interest of both the capitalist and the woman worker. On account of the better utilization of the plant each set of workers could be paid at a higher rate per hour than at present, and a part of the day would be left free to do some light housework and to attend to those personal needs which even yet, in spite of ready-made goods, seem to require a part of the time of the woman, even when she is industrially employed.

In the interests of woman and in the interests of man, in the interests of the children and of the race, in the interests of that very industry which our exploiting policies do not faithfully represent, we must conserve woman, and to this end we must permit the employment of women even as we permit the employment of men, only under the jealous eye of the police power of the state.

II

THE TENEMENT HOME IN MODERN CITIES

**The Normal College, New York City,
Smith College, Teachers College, and
Unity Church, Montclair, New Jersey,
March, 1911.**

II

THE TENEMENT HOME IN MODERN CITIES

THE theme unqualified—The Home—suggests an invocation to the muse of eloquent discourse. About the good old Anglo-Saxon word there cluster tender memories and dear associations—that sort of thing. But the qualifying adjective and phrase shut off that sort of thing. In cities, forsooth! It is our impulse to say there is no home in cities, and especially in modern cities. Have we not all smiled at the scornful contrast between the good old fireplace and the steam radiator as a family hearthstone, as an altar for family worship, as an abiding place for the Lares and Penates? And when to the phrase “in modern cities” we add further the

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disillusioning epithet "tenement", as far removed in its suggestions from cottage on the one hand as from palace on the other, evoking contrasts with the dear associations and tender memories of the poets and novelists quite as striking as that between the radiator and the brazier of the primitive household, we find ourselves less and less able to strike the old responsive chords of memory and imagination. The Tenement Home in Modern Cities is then not a sentimental subject. Let us recognize the fact, regretfully, and pass on.

The modern city has not yet really found itself. Its growth has been so rapid and all its intricate problems are so new that even the ablest municipal statesmen have scarcely grasped their significance, much less the average intelligent citizen. We have specialists in sanitation, in municipal architecture, in finance, in education, in transportation, each group struggling with utmost energy to understand its peculiar tasks as the modern city presents them; but we have few indeed who have even tried to get the general bearings of the manifold life of the great community

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to form a general idea of the citizenship of the city as it tends to become. It is high time to ask ourselves: What is the effect on individual life and character of the extraordinary industrial and social changes through which we are passing? What, in fact, are these changes from the standpoint of individual and family life? I have thought that it would be profitable to raise these questions, very simply, in relation to the home itself, the physical dwelling place, the material basis for family life; the rooms in which, if we are of the tenement house or apartment house population of the city, we sleep, and spend a part of our leisure hours; where we take our meals in common, where we rear our children, where we gather our private possessions, where to some extent, at least, we entertain our friends—though here the restaurant intrudes; and from which we are carried to our last resting place—though here again the hospital begins to compete.

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The qualifications which I have already had to make launch us at once into the heart of the

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revolutionary changes in which the tenement and apartment home of the city is already involved. The first and most obvious fact about this home which we study is its reduced proportions.

The average family may stand up in their tenement home. They may manage to sit down in it. They may even by free use of folding beds and other ingenious devices find room to sleep in it. But they cannot swing a cat in it. They cannot make merry in it. They cannot invite their friends with satisfaction, and they cannot safely be seriously ill in it. They cannot easily secure that privacy for which the home has been celebrated from immemorial times. The door swings easily upon the hinges, but real visitors are unknown. Reversing the famous dictum we may lay it down that the king (or any of his subjects) may enter, though the rain may not. The primary function of a home is to give protection. The tenement home is a perfect protection from the physical elements, from cold and sun, from rain and frost and lightning. It offers but a frail barrier on the other hand against the

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social elements: the crowd, the street noises, the newspapers, the social complex. The individual may indeed ignore his neighbors, living in isolation in the crowd. He may come into no genuinely human relations with his neighbors, but they are ever at his elbow, jostling, intruding, interfering, determining his life in a thousand ways, and all the more brutally and irresistibly determining and moulding his life because it is by an impersonal process, because there is no recognition of his separate individuality, because the vast majority of those who decide most of the questions which directly concern him do not know him, care nothing for him, take no thought of him.

The home is not large enough physically to permit within its walls any approach to that rounded family community life on which our modern societies were founded. That is our first generalization.

Our second is that it has rivals of which our fathers had no conception. The restaurant is one. Great numbers of people take one meal regularly outside the home; a very considerable number take two. Now this meal away from

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home—whether it be from a dinner pail or at Delmonico's—is bound to exercise some influence on the home life. It involves outside society, contact with other, it may be higher, standards. It creates a demand for different food at home—perhaps by its omissions which a better diet at home must make good, perhaps by its suggestions of new dishes or a different sort of cooking. The French chef in the expensive restaurant, the wholesale, noisy, slap dash, but yet very palatable service of the big cheap restaurant, even the generous hospitality of the free lunch counter, all react upon the home, creating some dissatisfaction with it, modifying its domestic economy on the whole in the direction of increasing its budget, and subtly undermining to some extent its self-sufficiency for at least some of the members of the family. I do not overlook its convenience, and under exceptional circumstances, its economy, for the individual; but on the whole the social effect of the prevailing patronage of public restaurants, whether in hotels, clubs, separate mid-day establishments, or saloons, must be to divide

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the interest once centered in the home and to make more difficult the simple life, the more economical, more thrifty, more domestic life, of which the home is the traditional and venerated expression.

Another rival is the hospital. In its present form, as the refuge for the general population in serious illness, it is a very modern institution. In less than fifteen years our hospitals increased their beds from 25,000 to 75,000, a rate of increase far surpassing not only the growth of population but also the growth of cities. It is the natural complement of the tenement and apartment home. There are, to be sure, other reasons also for its development. The humanitarianism of our day demands that the sick poor be more adequately cared for; medical colleges demand material for instruction; nursing has become an honorable profession; and liberal philanthropists have increased in numbers and in substance. These things explain the charitable foundations and the multiplication of institutions but not the increasing disposition to take advantage of them. The dread

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of the black bottle no longer sensibly deters the poor from coming into the hospitals, and the private wards, which are nothing else at their best than hospital hotels, have removed the last scruples of those who are keen about preserving their self-respect. Long ago Sir Thomas More conceived in his Utopia such hospitals as we may now see in our best institutions, and he adds what is quite literally true of our cities today, that any one of course is permitted to remain at home when ill if he likes, but the hospitals are for the sick so much better than the homes that no one cares to do so. The presence of the nurse rather than the mother or sister at the bedside of critical illness already strikes a blow at one of the fondest traditions of the home, and when in addition to this it becomes a common practice to remove the patient bodily and to restrict the opportunities for relatives and friends to be near him, this is, no doubt, to reduce the death rate, this is to prevent in many instances the premature breaking up of the home by death or by preventable chronic illness. Thus there is a larger good

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which the family enjoys, but its immediate effect is to transfer one great function of the home from its four walls to an alien institution.

The hospital contributes to the social surplus, the surplus of life, health, vigor, working capacity; but it robs the home of the tender privilege of caring for the sick. This great change has really only just begun. The feeble-minded, the aged infirm, and the chronic invalid are likely I suppose to be transferred in large part to institutions, colonies, cottages, boarding families, whatever type of institution you like, but in any event outside the ordinary normal family, as the insane and those who have acutely contagious disease are already transferred. The reaction of this great change on the family life will be even more complex than that of the restaurant. Its immediate economic effect is favorable. Hospitals, sanatoria, and convalescent homes are indeed expensive institutions, but they are cheaper than illness at home. On the whole, too, the atmosphere of the home may be said to be more cheerful and natural, more wholesome and

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beneficial, without the invalids. This may sound heartless, but I think it is only accurate. I do not forget the lessons of patience which are born of suffering and the sight of suffering, but there is a danger of selfishness on the one side and a danger of callousness on the other to be put beside it. Resignation and fortitude may still be won, and tender solicitude may still find opportunity for exercise, even when we have made just those arrangements which we find to be most effective for the cure of disease and the care of the sick. I am not advocating the one policy or the other. I recognize that in certain cases there are distinct advantages even from the medical point of view in home care as against hospital care, especially in the case of infants; and also that, according to all our traditions, the aged have their place by the home fireside quite as much as infants have theirs in the cradle. I am merely recording changes, and in the tenement home the tendency is apparent to relinquish the care of the sick and the infirm. This being so, the home ceases to that extent to serve one of the great

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needs of family life and gives place to another, presumably more fit, institution.

The development of the kindergarten, again, has very materially strengthened the position of what is perhaps the chief rival of the home, that is, the school. Already it is a very exceptional parent who attempts to exercise any intellectual influence over the growing child within the sphere covered by the curriculum of the school. If this curriculum is to begin at four instead of six or seven, if it is to deal with play as well as with study, with the very period of transition from infancy into childhood, it is obvious that this means an extraordinary extension of the influence of the school. Kindergartens are not yet universal and the extent of the social revolution involved in them has not been appreciated. The change is no doubt beneficial. Professional direction of this period of infancy is in technique and in substance superior to parental training, just as professional nursing is better than maternal nursing; but in so far as the change takes place it clearly involves a lessening of the content

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of parenthood, and an increase of the content of professional teaching. It means subtraction from the home, though the net result of the operation be addition to the individual and addition to the social surplus.

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I need scarcely extend the enumeration of changes which with our eyes half shut we may see going on about us—perhaps rather better with our eyes half shut, just as we see a picture better if with half closed eyes we shut out some of the lower lights and the distracting details. Clubs, associations, municipal departments, public libraries, and a host of other agencies intrude upon what was once supposed as a matter of course to pertain exclusively to the home; and partly by their greater economy, partly by their greater efficiency, deprive the home of one function after another until there seems to be nothing left for it except the perpetuation of the race.

We have yet to consider, however, the most revolutionary and disastrous of all the changes which menace the home: that is, of course, the

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employment of girls and women for wages outside the home. The factory and the business office and the school room have drawn out of the home that which has always been its most salient and characteristic, its most vital and indispensable element, namely, the constant presence of the mother and her unmarried daughters. In the typical tenement home of today—I do not say the majority of homes, or the best homes, but in that more advanced and clearly developed type of which we may find thousands of examples, and towards which the others seem to be tending—we may find, if we call during business hours, that there is no one at all at home. The babies are in the day nursery; the children are at school; the sick are in the hospital; the able-bodied grown people, male and female, are at work; the aged and infirm are in the almshouse or visiting out; and the janitor answers our questions!

It is true that almost exactly half of our working women are under the normal marriage age, but the mills and the offices push hard against this, to them, arbitrary and unreasonable limit, while

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there has long been a keen demand for laundresses and cleaning women which is supplied very largely from the ranks of married women and mothers. It has been pointed out that when women go into the cotton and woolen mills, into the laundries and bakeries, they are but following their own natural and primitive occupations which were formerly carried on in the home and have now been transferred to the factories. This is, however, but another way of stating the change to which I have referred. The work and the women retain their historical relation, but both the work and the women break with the home. In the families of larger incomes, where the women do not become wage-earners, the old employments go out from under the maternal oversight and the women remain comparatively idle or engaged in artificial occupations—like shopping—which it is difficult to take seriously. From the tenements the women go to seek the old employments in their new form—not because they have any more affection for the old employments, or because they might not also keep busy

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within the home at artificial occupations, but because the family feels the need of the supplementary income.

It is quite true, of course, that modern house-keeping does involve less physical labor than primitive housekeeping, just as modern manufacture and modern agriculture require less labor. Ready cooked or half cooked foods, canned fruits and vegetables, running water in the apartment, and the cheapening of ready-made clothing to the point where mending and darning become luxuries, reduce enormously the necessary physical labor in the home. We have by no means exhausted the possibilities of improving the economy of our domestic life. In fact, we have scarcely begun to apply modern science to the simple problem. Mr. Brandeis has startled the nation by his charges that the executives of railways have not introduced even the most obvious economies in their shops and operating departments. He is quite right, and an equally startling series of charges and criticisms might be leveled against our ordinary house planners and builders. A few

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years ago a French lady who had an opportunity to build some model tenement houses presented herself at an early stage in the making of her plans at the office of the Director of the Pasteur Institute, the place where hygiene may be supposed to be prepared to say its most authoritative word. Very simply she put her problem: "What have you to say to one who is about to build some workingmen's houses and who wants to make them sanitary?" The Doctor was pleased, naturally, to have the question put to him, but he was also surprised. "Do you know," he said, "this is the first time any one has ever come to this Institute with that inquiry. I can answer it in a word, but I am not sure whether you can follow my advice. That will be for you and the architects and builder to say. Build your house so that it will wash." The tiles in the kitchen with the trap in one corner of the room under the sink, the teak-wood floors in all the other rooms, and the painted walls of the little tenement house which the lady built, are a sanitarian's dream come true. In spite of the protests of builders

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and their gloomy predictions as to finances she literally carried the advice into effect, and as she manages it herself the house not only will wash, but is washed. It is clean, the death rate of its tenants is low, and the children thrive; the apartments are homelike; the rents are lower than in other houses; and the investment pays, not extravagantly but enough.

Unfortunately the release of women from domestic drudgery coincides with a need for increased income. It would take us too far afield to consider why people wish to live in towns, but evidently they do and it is more expensive than life in the country. I do not mean any more expensive for what we get, but that we consider it necessary to get more, involving a greater total outlay. Shelter costs more, for the building itself is more expensive and the press of population creates monopoly land values. Food costs more, for its price must cover transportation, storage, distribution, advertising, and a thousand wastes of unregulated competitive distribution. Clothing costs more, because, under the domination of

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quick changing fashions, people are unwilling to wear out their clothes. Furniture costs more, for it is flimsy to begin with and is constantly broken to pieces in the removals, three of which are still, as in Poor Richard's time, as bad as a fire. It is a standing jest in the tenements that moving is cheaper than paying rent. This is not a sound proposition, but it suggests the universality of the moving habit and also the popular feeling about rents. Even health costs more than in the last generation, for we are finding out that eyes and teeth and a clear throat are worth paying for, and we are at the same time putting new strains on these and other physical organs.

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Here then we have the tenement home, emptied of the cheerful fireplace, of the old substantial furniture often handed down from generation to generation, of the old-fashioned mid-day dinner, of the presence of the grown-up daughters, of the school child, and the kindergarten infant, of the sick and the feeble, and at the worst, even of the house mother herself and the baby. The

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poor pathetic old refrain which has been worked in a million worsted patterns, "What is home without a mother?" takes on new meaning, and may have a new run of popularity in a generation which may know only from history, from poetry and tradition, what the presence of a mother in a home really means.

I have not dwelt upon the uncomfortable aspects of the city's congested districts. I have not insisted upon the darkness and dampness and dirt of the home in the slum. I have not pictured the dreariness of the city wilderness or even suggested the black depths of misery and despair into which drink and crime and vice, or for that matter, sickness and misfortune alone, may plunge the tenement home at its worst. It has seemed to me more appropriate to keep our attention fixed on the typical home, and as we turn from the consideration of tendencies to the consideration of certain practical problems I shall ask you still to think primarily of the typical tenement home—the home of sobriety, of family affection, of the ordinary domestic virtues, and

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with an uninterrupted average income—rather than of the homes of poverty or of vice.

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Let us ask ourselves what are the vital, indispensable elements which we wish at all hazards to safeguard and perpetuate, to regain if they are lost, to foster and promote if they are present in embryo or in promise. I am ready to begin with the demand that as nearly as it can be managed I want my home, even if it must be small, to be safe, secure from fire, from collapse because of dishonest building, from infection, from a contaminated water supply, from burglary and arson, from street dust and dirt, from excessive street noise, and from other annoying and destructive influences. Much of this security must come through co-operative social action. We have not yet fully attained it, and where we have we are not so far away from that achievement that we can relax for a moment the efforts by which we succeeded. To secure and hold this physical safety for ourselves and our families we need more than is apparent at first sight. We need

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efficient administration, involving great technical ability in engineers, street cleaners, police force, and other officials and employes; a permanent tenure in office during efficiency, affording opportunity for a dignified and honorable career in the municipal service. We need to eradicate special privileges and corporate rascality. We need to divorce municipal affairs more completely from national politics. We need effective public control of expenditures, and to that end modern accounting, audit, and publicity. We need to reduce the number of persons for whom the elector is called upon to cast his ballot, the essential feature of what is called the commission form of government. These demands roughly indicate our new program of municipal reform, the program for which reformers are vigorously contending. I enumerate them without extended argument, simply for their bearing on our very simple but very fundamental subject, the protection of the home.

And yet the security of the home is not exclusively a matter of municipal administration. It is

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not solely a matter of co-operative social action. In the last analysis the security of the home rests upon the fighting strength of the individual citizen. The state is no external, paternal, miraculous agency operating from above for our benefit. It is but the collective aspect of our own strength; a particular method, for some things an economical and efficient method, of getting things done. It is a stream which does not rise higher than its source in individual character. Society operating through government or through voluntary agencies, as experience shows to be best, puts the individual in a favorable position to accomplish certain things, to enjoy certain things—but it must necessarily stop short of actually accomplishing them. It cannot guarantee the actual enjoyment. The point is reached when the individual must assume the responsibility, must decide for himself whether he will seize the opportunity. The home is precisely the place where this individual responsibility is the greatest, where it arrives earliest and remains last. One may make a beautiful home from very scanty

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materials. One may fail to make a home from inexhaustible material resources.

Next after security we may rationally demand for our city homes that they give an opportunity for the expression of individual character. The existing tenement house, as a rule, does not give such an opportunity. Perhaps we must reconcile ourselves to the idea that we are to go out for some of our meals or for all of them, or to the other scarcely less revolutionary idea that the meals will come into the house ready cooked. Perhaps we must seek outside many of the more technical services, such as formal education, kindergarten training, and the care of the sick. But why should we not all the more enrich that part of our life—probably always the much greater part—which remains? The subtractions from the home may prove to be blessings in disguise if we rightly value and augment the remainder.

To the end that there may be variety in our homes, individual attractiveness, that diversity and æsthetic charm which the very word home still suggests and ought always to suggest, we

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must first of all abandon our *laissez-faire* policy of town expansion and growth.

It may sound paradoxical to propose to secure a freer play of individual preference and an expression of personal character by departing from a *laissez-faire* attitude, but the paradox lies in the situation and not in the reasoning. The fact is that our existing real estate system, tax system, and transportation system—all of which rest, of course, upon positive legislative enactments and the prevailing administration of laws—determine rigidly and within very narrow limits what our houses shall be like, where they shall be placed, and how many people shall live in them. In order to widen the choice for the builder and the buyer and the tenant we must develop our transportation system. I use the phrase advisedly in contradistinction to the phrase “allow it to develop”. The one is an active, conscious, intelligent, sensible policy. The other is passive, unconscious, unintelligent, stupid. The one policy is directed towards the promotion of a healthy and socially desirable growth of the community; the

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other towards the securing of maximum dividends, even though they come from strap-hangers, from overcrowded immigrants, from barrack dwellers, from denaturized humanity of every description. These two policies—healthy community growth and maximum profits—may, indeed, coincide. I have myself much confidence in an ultimate harmony of economic and social interests, but the naïve conviction that to secure a healthy and desirable normal growth we have only to make sure of maximum profits is fast departing from the minds of men. If the two things are so mechanically and inseparably joined together then it is equally logical to reverse their order and ensure the profits by making sure first of the thing which is socially desirable. If, on the other hand, the two interests do not coincide and either must be sacrificed, let it not continue to be the social welfare. Homes are fundamental; profits are a means to an end.

Believing as I do in the soundness of the existing economic and social order, I expect to see safe and attractive homes secured with profits to the

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builder and profits to the transporter; but at the point when the further augmentation of profits begins to destroy the home, begins to make the acquisition of a safe and attractive home difficult or impossible rather than more and more practicable and easy, at that point profits become anti-social, uneconomic, and unjust. Who that observes the tendencies in the tenement houses of our modern American cities can doubt that the actual management of our transportation systems has been thus uneconomic, anti-social, and unjust? This anti-social management, although it has yielded large profits to individual directors, bankers, and manipulators, and perhaps politicians, has not been in the interests either of stockholders or of patrons. We are not here concerned with the interests of stockholders except for the bearing on the doctrine of economic harmony to which I have referred; but we are with the interests of patrons, for these patrons are precisely the home makers, the home dwellers, the tenants of the tenements of which we speak.

I am coming to think of this as a woman's

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problem. Not men but women do at present normally have the responsibility for deciding about the location and character of the home. The controlling factor, however, determining the range of choice—the transportation factor—lies quite beyond the control, even outside the range of interest, of those who should make and who do make the decision. Here we have, then, one of the main reasons for the ignominious, helpless, semi-paralyzed condition which we have almost come to accept as inevitable. Town planning and the transportation problem are ordinarily conceived, if one thinks of them at all, in their relation to business, commerce, industry, and civic centers. If we could once grasp the simple idea that the whole system of the streets and the town plan is nothing more nor less than a housekeeping problem, gaining its chief interest and significance from its bearing upon the location and the character of the home, we should be making progress. One of the reasons why we should be making progress is that we would inevitably soon discover, if our minds continued to work a moment

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longer, that the intricate problem will be more likely to yield its solution after woman's insight and experience have been brought to bear upon it.

It is quite literally true that the vast majority of our homes are now placed where they are, and are made as they are, entirely because it is better for manufacture, better for business and commerce, better for the railways and shops, that they should be where they are and what they are. But what inexcusable inversion of cause and effect this implies! What a sacrifice of ends to means! What extraordinary ignoring of the most elementary principles of life and work! By what right does the servant of life thus assume the mastery, and by what evil and cowardly counsel does the spirit which should reign supreme in the affairs of men abdicate its sovereignty? What we should decide first is where, and how, under what conditions, we shall live, and then adjust accordingly the mechanics of our life, the accidental things like factories, railways, shops, office buildings. If we are religious, churches are an important element in our living. If we are civic, town halls

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and civic centers are important. If we care for culture, schools and universities, libraries and museums, operas and theatres, are of value. If we are social, playgrounds and parks and meeting places of various kinds find ready justification. If we are human, we require homes. These things and others like them which contribute directly to the content of life are the logical starting point and the natural end of all our industry and labor.

If we would but keep clearly in mind the natural relations of things such monstrous evils as congestion of population, children without places to play, half-time elementary schools because of overcrowded school rooms, unprotected machinery, the premature employment of children for wages, and uncontrolled infections such as typhoid and tuberculosis and syphilis, would be unthinkable. We should be unwilling that the labor force of the community be used for other purposes, however desirable, if these elementary, vital needs have not yet been met. We should permit no industries to be carried on for a day in such a

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way as to defeat the very end of all industry. It would appear unthinkable that any factory should be located in such a way as to increase congestion, in such a way as to destroy homes, in such a way as to undermine health. If we kept clearly in mind the relation of social values we should see grave objections to the projection of street railway lines in an arbitrary, eccentric, anti-social manner, and to the suppression by consolidation of projected or completed lines which would have served social needs; and we should see still graver objections to the delay for years and decades merely because there is profit for individuals in delay, or because we had not resolutely addressed ourselves in earnest to the task in hand.

To locate factories on a consistent plan, adopted for social reasons, is not a counsel of perfection but a very obvious, pressing, and practicable measure of social control. With far less reason many European cities have long since pursued this policy. To district the city on what is called a zone system, though it need not necessarily take the form of concentric zones, is an entirely

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practicable method of securing diversity in the character of buildings, preventing the duplication in outlying portions of bad conditions already established in the center, and of discouraging land speculation. Under this system the regulations as to the height of houses and the character of the building cease to be uniform throughout the city and vary for different districts according to circumstances, being usually more severe, of course, for the outlying sections where property has not yet become so valuable and smaller buildings with liberal yards and gardens may therefore be built at less sacrifice. The point is that if a piece of land cannot be used for an office skyscraper or a seven-story tenement it will remain cheap enough so that more habitable dwellings may profitably be built on it. Excellent authorities insist that it is an inversion of the truth to say that we put up great barracks because the land is high. On the contrary, they contend, the extraordinary values that we find in the large cities are due to the fact that the land can be used, and is likely to be used, for such purposes. Change the

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shape of your lots, multiply the number of streets and arrange them more scientifically, improve transportation facilities, and the inflated land values and the speculation of which they are a symptom will disappear.

I have touched here on very difficult and complicated problems which we cannot pursue. I seek only to enlist your sympathy for the general principle that those who live in cities should not be restricted to a single type of home, and that the most rigid conceivable; but that on the contrary they have a right to individuality, a right to pleasing architecture, a right to scenery, a right to attractive and comfortable, as well as safe and sanitary homes. This implies that factories should be located with reference to the homes of the city rather than that the homes should be sacrificed to industrial interests.

The third demand which I venture to formulate as on a par with security and individuality is that our homes should be maintained with no assistance from the wages of young children; and that in so far as adult female labor becomes neces-

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sary or desirable, that labor shall take no form which represents the exploitation of women, but shall on the contrary always be consistent with the conservation of their health, physical vigor, moral character, and spiritual refinement. This demand is made both for their own sake and for the sake of the homes whose safety depends and will always depend chiefly upon the conservation of womanhood. Already the conservation of life takes a first place in a national conservation policy. Our courts have begun to take notice of the crystallization of scientific authority and public opinion as to the need for social intervention for the protection of women from the ravages of the factory system.

On the negative side such a conservation policy demands the sweeping prohibition of ordinary tenement manufacture. Inspection of industries in the tenements is too expensive to be practicable, and industry without inspection is exploitation.

Such a policy demands, next, the reduction to the lowest limits of the length of the day's work

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in factories, and the fixing of the maximum number of hours per week. It demands a recognition of the normal physiological needs of women. To seek to oppose the invasion of business offices and factories by women would apparently be like interposing our feeble efforts to stay the incoming tide; yet after all, here and there, where cities and towns or fertile fields are threatened by the sea, we do interpose and bid even the sea itself keep its distance, or come here and there at our desire. Even so when that is in danger which is far more precious than fertile field or towering city we may summon our economists and political leaders and say to them as we would to engineers and masons: Make a safe path here and an impassable barrier there. We recognize no *laissez-faire*, *laissez-aller* for destructive agencies. If we can put boundaries to the sea, weave tunnels beneath the rivers, and even in the presumption of our newest conquests overleap the channels and the Alps in the aeroplane, we can also discern which among our own institutions and devices are harmful and in need of new direction and control.

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I am not among those who would close doors of opportunity to women, or would keep closed doors which are beginning to open, but from long disuse may be said to be rusty in the hinges. Natural evolution requires the greatest freedom of individual choice. But it is no hardship, no denial of individual liberty, to say that all of those who choose to engage in a particular occupation which experience and observation have shown to be dangerous in this or that respect, must do so under such and such conditions which will safeguard the danger spots, will prevent social injury, will protect and conserve life and the things which make life worth while.

* * * * *

Whatever contributes to the social welfare strengthens and enriches the home. Whatever gives freedom and security to women gives security and individuality to the home. Whatever increases the efficiency of man, so that the income of the male wage-earner will suffice, restores to the home some part of that which the growth of cities and the early developments of the factory

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system tended to destroy. It is my belief that nothing essential has been destroyed save for a transitional time. Much, very much, that is valuable and as precious as any of the old traditions may yet be added. The golden age of the home is not behind us but ahead. The home of the city may be better than the home of the village. The modern home may certainly be better than any of olden times. The tenement home in modern cities may indeed be small, though it will be larger than it is. It may not attempt to supply all the needs of family life, but it will still seek and find for itself a consecrated and unique place where the highest and most intimate needs of the family and the race are to be met, more and more completely and satisfactorily met as our civilization develops. That is to say, the home is in our conscious intelligent keeping. It may indeed be undermined and destroyed. But if we care sufficiently about the matter and direct our energies to that end the home may be safeguarded against every danger and enriched from many a new resource.

III

THE SUBSTANTIAL VALUE OF WOMAN'S VOTE

**At a meeting held by the Boston Equal
Suffrage Association for Good Govern-
ment, Boston, June 13, 1911.**

III

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THERE are various appropriate figures of speech and proverbs to indicate the inutility of my addressing this audience upon this subject. Among them are: *Carrying coals to Newcastle*. This, of course, is an uneconomic process, even though it be a small scuttle of coal, mainly slack. *Gilding refined gold, and trying to paint the lily*. This is uneconomic, and, what is worse, inartistic. *Urging, not sinners, but the righteous, to repentance*. This is uneconomic, and perhaps positively irreligious. *Arguing to a converted court*. This is not only uneconomic, but, if I correctly understand the matter, actually unconstitutional.

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Then there is the saying of the Roman philosopher, *I have often regretted my speech, but never my silence*—though I am frank to say that if I have any regret on this subject it is for my comparative silence, if we may think of different degrees of silence. But, as Cervantes said, *I have other fish to fry*. Or, if you prefer Shakespeare's language, *'Tis a cruelty to load a falling man*; and certainly if I were to allow myself to get really interested in this cause, in which I believe, I should be a falling man very speedily—if I tried also to do even measurably my duty by the causes to which I have already pledged my full measure of devotion.

* * * * *

I am at a double disadvantage. I have neither the ease and accumulation of arguments of the practiced campaigner, nor yet the traditional zeal of a new convert. For as long as I can remember I have been an advocate, even though a more or less inarticulate advocate, of the suffrage for women—originally, I believe, in my youth, on certain grounds of abstract justice and on some

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theory of identity of the souls of the sexes, which no longer appeal to me.

What does appeal to me now—as a citizen, as a campaigner for social amelioration and for social justice—is the substantial value, for the advancement of all the specific causes in which I am interested, and for the solution of the problems about which I am most deeply concerned, of the active participation of women in the tasks of citizenship.

I am quite aware that there are other ways of influencing the course of governmental action besides holding office and voting. Public discussion, and even private interchange of views about a dinner table, may, under certain circumstances, have greater influence than casting a vote or marshalling voters. But I cannot quite follow the ingenious argument of my friend and colleague Professor Adler that these alternative, indirect means of bringing opinions and influence to bear upon public questions are so superior to the ballot that it raises the question whether we shall not be compelled in desperation to give woman the

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suffrage in order to restrain her undue and excessive influence. On the contrary, the ballot seems to me an ultimate and material expression—not merely a symbol, but a logical and necessary corollary—of all other means of influence on and participation in public affairs. It is a sure foundation for such influence and participation, or, if you prefer, a final autumnal fruitage of the beautiful blossoming of the earlier seasons. Now the blooms of spring have their beauty and justification in the order of nature, even when they are sterile of fruit. Yet when we are confronted with the fact of sterility, it brings a shade of contempt, a distinct limitation of our appreciation of even the most gorgeous of the flowering bloom, a lessening of its influence upon our imagination and æsthetic sense. Even so when we make ourselves sharply realize that one who discusses public questions from the platform or in the drawing room is to have after all no ultimate voice in their decision, that it is but a sterile and impotent blossom of the springtime which is not to bear the fruit of a citizen's ballot, this inevitably sug-

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gests to our mind that there is something awry. Either woman should have been denied the comprehending intelligence, the power of judgment of men and measures, the capacity for taking interest in public questions, the social conscience capable of being stirred by injustice, by stupidity and inefficiency, or else she should have the fullest opportunity to act as her conscience dictates, to give tangible evidence of her interest, to use her judgment, and to exercise her intelligence. Not more intimately related are the fruit and the blossom than are the ballot and the qualities of mind which women possess.

Really, I feel it incumbent upon me, in such a presence as this, to apologize for even referring to such an obvious and indisputable fact as the political and civic endowment of the American women of our generation.

I can understand why President Taft needs to argue for reciprocity and international peace, convincing as both arguments are. I am patient in the propaganda for workingmen's insurance against industrial accidents, notwithstanding the

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fact that there are no serious arguments against it. I can understand the obstacles to the temperance movement, to prison reform, housing reform, and educational reform. But why it should be necessary to take the trouble to put together arguments in behalf of the proposition that women are capable of learning to vote transcends my male comprehension. I suppose that time was when men were prejudiced against women's voting because Eve in that critical far-off morning of the race, having succumbed to the serpent, did tempt Adam to his undoing. But a bright student in the School of Philanthropy, having applied to that incident the higher criticism of modern biological ideas, has discovered that what was fundamentally wrong with Eve was her heredity, and for that certainly her descendants in the female line should not be held responsible. Most of the other arguments that are based upon physical differences appear to me equally irrelevant, immaterial, and inconclusive.

We may therefore join issue directly upon the single question, What, if any, difference would it

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make? I am one of those who believe it would make a difference.

Let us consider such questions as concern the National Conference of Charities and Correction*: the public care of the sick, the insane and the feeble-minded; the prevention of crime, and the training and reformation of law breakers; the provision of playgrounds and recreational facilities; the rooting of religion in a knowledge of actual social conditions and the infusion of the religious spirit into all the ramifications of the public service; town planning and taxation; compensation for accidents; the prevention of child labor and of the exploitation of women. These are all questions which have their public, their civic, their governmental side. Who can doubt that all these fundamental questions, these still unsolved problems of our common life, will be resolved more certainly and more quickly when woman's experience, her mental processes and point of view, her traditions and resources, are brought to bear directly upon them? It is no part

* In session in Boston.

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of my intention to magnify or distort the differences between the sexes. Every girl brings into the world all the inheritance that her father has to give to his offspring as well as that of her mother. The infant boy has his mother's physical heritage. But it is not this individual, physical heredity which is alone in question. As biologists now point out, humanity, unlike the beasts that perish, has also an external social heritage, more or less consciously, more or less instinctively passed on from generation to generation. Through this social inheritance we become heirs of a social environment, of institutions and arrangements which we change but slowly, but which we may nevertheless change and adapt to our needs.

Now this social heritage is somewhat different for the two sexes, different all the way from infancy to the grave. In the home, in school, in office and factory, in church and club, in politics, and even in science and art, the historical fact of sex asserts itself. It cannot be ignored, but we are not on that account to become the blind and stupid slaves of the interpretation which we our-

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selves and our immediate ancestors have put upon it. In this field of political activity we are certainly about to put a new interpretation upon it, one which, instead of excluding woman because her social heritage is different, will insist upon her participation, whether she desires it or not, because the state needs precisely the elements which she alone can contribute.

Take for example this new burning question of town planning: the arrangement of streets, the prevention of congestion, the development of street railways, subways, and other means of transportation. It is primarily a problem of community housekeeping. We have approached it almost exclusively, in our blundering male fashion, from the standpoint of the convenience of business and industry, or from that of architectural civic centers. Commercial or æsthetic considerations have been dominant. But the fundamental issue is not commerce or architecture: it is the welfare of the home. Town planning, transportation, street cleaning and lighting, water supply, sewage system, and garbage disposal, are all questions of

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domestic economy, projected for mutual convenience into the communal life, but resting on the same principles as the internal management of the individual home. The time may come when a completely emancipated woman will know nothing more than the average man about these ultimate values in domestic economy—when the home will be subordinated, if it survive at all, to the stage, the club, and the exchange, as a predominant interest in woman's life. I speak from a more conservative point of view, from a belief that for as many generations as we can clearly foresee the normal woman will know what there is to know about the home, will largely center her interests and thoughts upon it, will care about it, and will therefore be able to interpret its needs.

This dominant interest in the home, as it has been found not to be incompatible with an interest in art and culture, with many kinds of very important public service, is certainly not incompatible with an interest in civic and public questions, and participation in their solution through the exercise of the suffrage. My contention is

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that, on the contrary, the home cannot be interpreted in its fullness, cannot be defended in its extremity, cannot be developed and brought to full fruition, except by those who do have a voice in the selection of public officials, law makers, law administrators, and judges. I am warned that this argument is fallacious because it assumes, through the mere use of a figure of speech, an identity between two things which are not identical or even similar: namely, housekeeping on the one hand, and on the other such technical engineering and sanitary processes as are involved in community housekeeping. But this is to miss the point of the argument. Sweeping the carpet is not the same thing as sweeping the streets, but an appreciation of the importance to the race of clean floors is intimately related to an appreciation of the importance to the race of clean streets. It is no accident that Colonel Waring was discovered and pressed upon Mayor Strong's favorable consideration by a woman, and no accident that the staunch support of women helped to secure his tenure of office and the large appropria-

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tions required for his pioneering and epoch-making administration.

I have used this particular comparison only as an illustration. The contribution which woman would make to our active citizenship is by no means limited to the questions which involve directly the welfare of the home and the interests of domestic economy, although those questions are far more numerous and far more important than most of us at first thought imagine, and they are by no means limited to school districts or to municipal jurisdictions. Many of them reach into the state legislatures and courts, into the halls of Congress and the federal bureaus, and even into the Supreme Court, that highest branch of our law interpreting department, which we are now coming to associate also with the law making function.

There are, however, other experiences besides that of presiding over a home which come only to women, or come more frequently to women than to men, and those other experiences also will be distilled through the ballot to the advantage

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of society. Because of our traditions in regard to women they lose some things and they gain others; and both their gains and their hardships have a social value. Women have sorrows and sufferings and disappointments all their own, as well as certain kinds of indulgence and protection. I am not for continuing these disabilities or differences deliberately for the sake of the social advantage which may come from them. My point is that this peculiar heritage, this sex difference, on which our opponents insist more strongly than we do, is capable of yielding a higher wisdom, a peculiar intuition and insight, of which we have no right to deprive society as we have done in the past. Transmuted through influence on lovers, husbands, or sons, this experience becomes a very different thing. What men have is their heritage—their own interpretation of what women have done to them, or said to them—and of that we have quite enough already.

And so, as I see it, there is a substantial value in woman's vote. I do not anticipate that all women, or a majority of women, will vote right

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always, or that on every question the general influence of women's vote will be beneficent; but believing as I do in the principle of democracy—a full unqualified democracy—I feel assured that on the whole and in the long run this broadening of the basis of the suffrage will strengthen it; that it will directly and powerfully aid in getting to the bottom of the complicated and by no means clearly understood civic problems before us.

The special value of woman's vote depends originally upon her experience, her heritage, her point of view. You have heard of the two men who were chased by an angry bull, one of whom climbed a tree while the other took refuge in a hole in the ground. The latter came up prematurely, as it seemed to the man up the tree, and the bull charged him. Down he went, but appeared again in a moment only to repeat his experience. His friend from his safe vantage point called out impatiently to ask why he did not stay down in the cave. The other called back, "You can't see everything from your point of view. There's a bear down here."

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There are many unseen bears and other more dangerous beasts of prey where woman spends her anxious hours. Much depends upon the point of view. But although that is the unique, original element upon which the special value of woman's vote depends, it must be admitted that its actual value, when it is available, will depend largely upon the preliminary training which she obtains. A refusal to take part, within her present constitutional limitations, in social work and in public service, would sadly lessen that actual value. Increased service, such as we are witnessing daily, not only brings the vote nearer, but adds to its value when it comes. By organizing women's unions, by promoting child labor and housing campaigns, by increasing the effectiveness of philanthropy, women are giving a demonstration of their fitness for the suffrage and putting themselves in position to justify the change in their political status when it comes.

I have dwelt mainly upon an argument which rests upon the difference in sex to which advocates of the suffrage for women are supposed to


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be indifferent, but I warned you at the outset that I did not wish to distort or exaggerate it. I must close by pointing out the equally obvious fact that after all, political gifts, like other gifts, are largely individual. Many men are certainly devoid of them. Some women certainly have them. By disfranchising a sex ruthlessly we do ignore all those extraordinary endowments which happen to be entrusted to the brain of a woman. Whether that is exactly half—or a little less or more than half—of all such endowments I do not know, nor does any one. No one can know until the sex disability has been removed long enough to equalize the social heritage of the two sexes in this particular. Such equality, I am fully persuaded, will enrich society without endangering anything which it should hold sacred; will add to the content of manhood by adding to the inheritance of womanhood; and will promote justice—not in an abstract, academic sense, but in the sense in which it is a synonym for a richer, more stable, and more righteous life.

IV

THE ATTITUDE OF SOCIETY TOWARDS THE CRIMINAL

St. Paul's Chapel, Columbia University,
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IV

THE ATTITUDE OF SOCIETY TOWARDS THE CRIMINAL

IN so far as there is a difference between the spirit of the law and the spirit of the gospel our penal codes breathe uniformly the spirit of the law and not that of the gospel. A literal interpretation of the Old Testament and not a reading of the spirit of the New Testament is their inspiration.

Let us choose almost at random, not an exceptional bloodthirsty passage but one which fairly and moderately expresses the penology of ancient Judaism, tempering justice with mercy even as it sternly formulates its conception of justice. In the twenty-fifth chapter of Deuteronomy it is written:

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If there be a controversy between men, and they come unto judgment, that the judges may judge them; then they shall justify the righteous, and condemn the wicked.

And it shall be, if the wicked man be worthy to be beaten, that the judge shall cause him to lie down, and to be beaten before his face, according to his fault, by a certain number.

Forty stripes he may give him, and not exceed: lest if he should exceed, and beat him above these with many stripes, then thy brother should seem vile unto thee.

Still more to our purpose are the twelve curses recorded in Deuteronomy xxvii:

Cursed be he that removeth a neighbor's landmark.

Cursed be he that maketh the blind to wander out of the way.

Cursed be he that smiteth his neighbor secretly.

And so on, in each case ending with the solemn words:

And all the people shall say Amen.

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Compare our modern New York penal code, similarly specifying particular offenses in great detail and ending each category of offenses with the formal and significant words:

Shall be guilty of a misdemeanor, *or*
Shall be guilty of felony.

The New Testament gives an instance of righteous anger and the prompt administration of a just and appropriate remedy:

And Jesus went into the temple of God, and cast out all them that sold and bought in the temple, and overthrew the tables of the money changers, and the seats of them that sold doves,

And said unto them, It is written, My house shall be called the house of prayer; but ye have made it a den of thieves. [Matthew xxi. 12, 13.]

This was evidently no formal and constitutional process of law. Legality was no doubt rather with the money changers and merchants. The spirit of righteousness and justice burst into a consuming flame in the face of which shrewd

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and technical compliance with statutes was burned away, leaving the thievery and commercial greed in their nakedness and impotence. The positive side of the new dispensation finds frequent and clear expression. With hypocrisy and self-aggrandizement Jesus of Nazareth had scant patience.

But with weakness of the flesh, with errors of judgment, with offenses against the law, He and His apostles had infinite patience; and for petty offenders in particular they seem to have had extraordinary compassion.

Be ye therefore merciful, as your Father also is merciful.

Judge not, and ye shall not be judged: condemn not, and ye shall not be condemned: forgive and ye shall be forgiven. [Luke vi. 36, 37.]

When the prodigal son came again to his father he said:

Father, I have sinned against heaven, and in thy sight, and am no more worthy to be called thy son.

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But the father said to his servants, Bring forth the best robe and put it on him; and put a ring on his hand, and shoes on his feet:

And bring hither the fatted calf, and kill it; and let us eat, and be merry:

For this my son was dead and is alive again; he was lost, and is found. [Luke xv. 21-24.]

Why dost thou judge thy brother? or why dost thou set at nought thy brother? for we shall all stand before the judgment seat of Christ. [Romans xiv. 10.]

Let us not therefore judge one another any more: but judge this rather, that no man put a stumbling block or an occasion to fall in his brother's way. [Romans xiv. 13.]

We then that are strong ought to bear the infirmities of the weak, and not to please ourselves. [Romans xv. 1.]

Remember them that are in bonds, as bound with them. [Hebrews xiii. 3.]

If a man say, I love God, and hateth his brother, he is a liar: for he that loveth not his brother whom he hath seen, how can he love God whom he hath not seen? [1 John iv. 20.]

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I do not interpret these passages to require of us, if we would act in their spirit, that courts of justice, police systems, and penal systems should be abolished and that we should give unlimited license to those who would assault their neighbors or their neighbors' wives and children, or to the cunning brain that would deprive the neighbor of the fruits of his toil. Tolstoi, it is true, has little difficulty in demonstrating that our present plans work badly and almost persuades the sympathetic student of his philosophy that a literal acceptance of the injunctions not to judge and to resist not evil would hasten the millennium. The picture which William Morris presents in *News from Nowhere* of the young man who has slain another and is nevertheless at large in society, the object of great pity and kindness from all his fellows, knowing remorse and undergoing a purification of heart, appeals even to our dull imaginations.

We are not under the necessity of going so far, of accepting such extreme views, which break, or appear to break, with the canons of common

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sense and with the normal and orderly development of our political institutions, and which would endanger the peace of society. It is not, however, utopian to demand that we take seriously the elementary problem of the prevention of crime and that we act more consistently upon those clearly defined principles of penology on which all serious students of the subject are agreed.

We are not dealing seriously or even fairly with this problem. Let any one who thinks otherwise study the report on the aldermanic courts of Pittsburgh made a year or two ago for the Pittsburgh Survey by members of the bar of Allegheny County, or let him consider the single fact that in New York City the court of special sessions for Manhattan and the Bronx, which tries all misdemeanors—that is, serious offenses less than felonies—was a year and a half behind its calendar until the legislature by special act drew upon the unoccupied time of city magistrates to form a temporary special part to enable the court to catch up with its business.

Let him attend the various magistrates' courts

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in the city and discover what an extraordinary diversity of treatment is meted out for the same class of offenses and how ludicrously unsuitable nearly all the dispositions are, if the object is to prevent crime, to reform offenders, or even to protect society from the depredations of professional criminals.*

We are but playing a huge game, in which the respective parts performed by judges, juries, policemen, criminals, and jailers are all well understood. We go through certain motions, with perfectly sober faces, in accordance with the rules of the game, and we assume that we have done our duty, when in fact we have only done what was expected of us—expected by the criminals among the rest.

The kernel of the matter is that from time to time we arrest and try certain persons—though we more often fail to arrest them under precisely similar circumstances—charging them, when they

*In 1910 a law was enacted reorganizing the inferior criminal courts in New York City, making possible a great improvement in their administration.

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do fall into the net, with the commission of specific offenses, and if we find them guilty we punish them by fine or imprisonment according to a previously arranged definite schedule, so many days or so many dollars according to the assumed seriousness of the offense.

It would seem to require no extended argument to show the absurdity of the attempt to measure the quality of an offense on the same scale with the size of a fine, regardless of the offender's financial circumstances, or with the length of a term of imprisonment. These things are not comparable and the false assumption that they are vitiates our whole penal system.

Charles Dudley Warner many years ago justly said that the world would one day look back with amazement to a time when perfectly well known professional criminals were arrested and committed repeatedly for short definite terms of imprisonment and after the expiration of each term allowed and in effect encouraged to resume their depredations on society.

I have myself seen a woman charged in the

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night court with disorderly conduct found guilty and fined, who had been similarly charged and found guilty and fined two hours before in the same court before the same judge. I asked the policeman who stood at my elbow what the effect was of such treatment as that, and he said with disgust that of course its only effect was to drive the woman out again to earn in the same way the money to pay the fine.

We imagine that we have changed this by our partial and limited introduction of a system of indeterminate sentences and the establishment of one or two reformatories, but the change which is necessary is one which cuts much deeper than we have yet gone. What we need is a radically different conception of what our courts and police and reformatories are for, what their function is, what they are to do for us.

What we now expect them to do is, in a word, to discover and punish crimes. This also they fail to do oftener than they accomplish it, but even if they were to succeed in this task which we set for them they would but be delivering the forty

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stripes before the face of the judges according to the fault of the accused.

What we ought to ask them to do is to prevent the commission of crimes, to check firmly and definitely each individual career of crime at its outset and isolate definitely and charitably those who are congenitally unfit to be at large in society and those who, from deliberate and unalterable choice, are at war with the social order. If you say anything like this to any particular official—a police commissioner, for example, or a magistrate—he is likely to respond that this is true enough of society as a whole but it is his particular business, as laid down in the city charter, or as established by precedent, to do such and such things. I am addressing now, however, not any one official with clearly defined duties, but citizens of the state whose duty it is to see the whole duty of the state and who, collectively, are responsible for determining what the attitude of society shall be.

Prevention, reformation, and permanent custodial care for incorrigibles, are the essentials of

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a civilized system of penology. Vengeance and punishment and all manner of attempts to make the penalty fit the crime are earmarks of an obsolete system. A penitentiary warden once said at the prison congress: These men [the prisoners] are sent here to be punished, and it is our business to see to it that we punish them as much as possible. Another still more crisply remarked that the end of punishment is to punish.

An accomplished assistant district attorney in this county insists that a desire for vengeance underlies the greater number of prosecutions now undertaken in our courts. Propositions to re-introduce the whipping post, pulpit apologies for atrocious lynchings, and the general acquiescence in police clubbings of unoffending citizens and in the administration of the wholly unlawful and mediæval third degree as a means of extorting confessions, sufficiently attest the survival of uncivilized and unchristian ideals among us.

The new penology has not yet been fully formulated, but if I understand its spirit it is at one with Christianity in its refusal to judge, in its mercy,

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in its unlimited forgiveness, in its readiness to bear the infirmities of the weak, and in its scorn of hypocrisy and deceit, which are all too prevalent in the relations now existing between law breakers and law enforcers. There are already many fragmentary indications of what the new penology will be like. John Howard and the sentimental reformers may not have understood it clearly, but the abuses which they scourged were certainly at war with it, and the humanity for which they stood is one of its foundation stones. Lombroso and his associates in a more scientific scheme of criminology may be one-sided and eccentric, but it is their merit that they have at least conceived the problem seriously and are ready to take the consequences of their radical theories. And the underlying thought of their system,—that it is the individual whom we are to consider and that in order to consider him we need the help of the physician and the psychologist as well as that of the lawyer and jurist, that the specific offense which is charged is of significance only as it throws light on the relation of the offender to

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society and on the attitude which society should take towards him,—this is another foundation stone which the builders of today may reject but which may yet become the head of the corner.

Brockway and the zealous advocates of the reformatory system may not have carried their principles fully into successful execution, and the claims that have been made as to the percentage of reformatations accomplished may prove to be exaggerated, but the idea is sound and practicable, and the genuinely indeterminate sentence, with its corollaries of education, strict discipline, active and appropriate occupation, and conditional release under surveillance, are the prophecy of a rational system.

Probation for first offenders may indeed for a time be the ridiculous farce that we in New York City have for the most part made of it. Let any citizen who thinks this strong language ask the Commissioners of Accounts for a copy of their report on the Night Court, or read the stenographic reports of the testimony given by magistrates and probation officers before the legis-

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lative commission now investigating the courts of inferior criminal jurisdiction. But probation taken seriously as a positive influence over the conduct of probationers, as a few men and women here and elsewhere have illustrated its possibilities, is another fundamental feature of a rational and serious penology.

And so there emerge gradually the outlines of a logical, consistent, sympathetic attitude of society towards the individual offender, a just, humane, and Christian attitude, implying no wish to judge him but a wish to restrain him from injurious and destructive conduct, and to confirm him in a law-abiding and useful life.

At one end of such a penal system as this attitude requires we find an infinite variety of educational and constructive social measures, designed to cultivate right principles of action. At the other end of the system we find schools and clubs and social activities consciously at work to turn the surplus energy of youth into fruitful and beneficent channels. We find instead of police system, criminal courts, and prisons, each work-

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ing independently, a great municipal department for the prevention and elimination of crime, with a social police and magistrate and probation officer and reformatory and hospital or colony for the permanent detention of incorrigible offenders each taking an appropriate place in a coördinated, carefully devised system for dealing effectively and comprehensively with crime.

The change which we need is not in details. These will come inevitably as a result of our change of heart. With less than our present expenditure of money we could eventually prevent the vast majority of the crimes committed in our midst. We are not now trying to do that. We are painfully maintaining a *modus vivendi* by which some criminals sometimes are caught and punished and by which young offenders are by our own act put under conditions which virtually ensure their becoming hardened professional criminals. Thus we both judge one another, unchristianly and uncharitably, and put a stumbling block and an occasion to fall in our brothers' way. May God forgive us and teach us wisdom.

V

THE CORRECTION AND
PREVENTION OF CRIME

From The Survey, January 21, 1911.

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FOR the detection and punishment of crime we have invented and inherited an elaborate scheme of police, judiciary, and prisons. The police, it is true, serves also incidentally other purposes, such as the regulation of traffic and directing strangers to their destinations. Courts settle disputes as well as try criminals. Prisons, on the other hand, were invented for no other purpose than the punishment of crime. Now prisons, courts, and police are very expensive and it must be admitted very disagreeable institutions. The naïve pleasure and moral benefit which citizens of junior republics are said to derive from the operation of their courts and jails

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are certainly not reflected in the larger world. A Broadway police parade is very inspiring, but not so a raid, an arrest, an arraignment in court, the leading away of a sentenced prisoner, the administration of torture to secure evidence—or almost any of the routine work of an ordinary policeman in his relation to crime.

Who with any spark of sympathy and imagination can stand in a criminal court, whether of higher jurisdiction where great lawyers are pitted against each other, and the issues are of life and death, or of lower jurisdiction where the worst that can befall the convicted prisoner is a term of six months in a workhouse, without turning fairly sick at heart? An angry spectator denounces the public sentence to a hospital pronounced upon a woman who had been certified to have a shameful disease. But if we were not hardened by custom we should feel much the same in regard to all the sentences pronounced daily upon men, women, and children in the hearing and sight of their fellow creatures. The Christ was crushed not by approaching death, but by social misery; the sor-

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row of Gethsemane and the agony of Calvary come again in the court room to any son of man in proportion to his clearness of vision and his greatness of soul.

One may understand crime and the criminal precisely in the degree in which he comprehends that not the individual standing there at whom stones are to be thrown, but literally the community itself, the individuals who surround the prisoner—judge, jury, advocate, and spectators—above all, the spectators—are responsible for this thing that we call crime. We measure our incapacity for self-control and for decent social control by the size and brutality of our police force. We sound the depth of our failure to deal with crime by the strength of our prisons and the subtle learning of our courts.

One to whom this gigantic social failure comes home vividly for the first time may easily lose his moorings. If police, courts, and prisons are expensive to maintain and ugly to contemplate at close range, why not join hands with any revolutionists who promise to rid us of them entirely, or

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to bring such a social and economic order as will make them unnecessary? This is a sound impulse. Just such a revolution is indispensable. But the revolution must go to the root of the matter; and the root of this matter is character.

The best programs are those which seem likely to give us social institutions both permanent and beneficent; and those institutions are permanent which have their foundations in the past. Police, courts, and prisons have not been erected artificially out of hand to serve private or selfish ends. They have grown normally, gradually, and their roots are in social needs. We are not to destroy, but to transform them. They are ugly—not because they were made so, but because our ideas have changed, because our standards have been raised. They have been useful in the past; they now represent a partial mal-adjustment. They must be adapted to our present and future needs, and any features which cannot thus be transformed must be eliminated—gradually, normally, but thoroughly.

The new penal system has been taking shape

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for two generations or more and is now practically complete—not with any ultimate unchangeable completeness, but complete in the sense that one may boldly accept it, and resolutely challenge all those demonstrably obsolete and destructive features which make it unfit to serve its purpose. Some of those features are mere ideas, theories, assumptions, traditions. Others are concrete obstacles embodied in brick and mortar, or in legislative enactments and court decisions.

On the whole the latter are more vulnerable than the former. Americans have never stood long helpless before a physical obstacle. Of mountains, rivers, deserts we have made easy conquest. Manufacturers scrap their machinery, and business men replace comparatively new buildings with newer and better ones, without the least hesitation. But our traditions and theories are the most tenacious and obstinate in the world. When, therefore, we speak of concrete obstacles to reform on the one hand, and mere ideas and assumptions on the other, we put our “mere” in the wrong place. We could get rid of

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dirty jails and infected prisons and obsolete penal codes quickly enough, if it were not for pernicious traditions and false assumptions.

We would be fortunate indeed if we had to do merely with the concrete results of our ancestors' errors. Unfortunately we have some of their errors and some of our own still to expose and eradicate. Not that we are exposing them for the first time. Our reformers are by no means lacking in originality, but nevertheless they are called upon to repeat for the thousandth time demonstrations long since complete; to expose again fallacies long since exploded; to lay anew foundations which were as sound a generation ago as logic and science and practical statesmanship could make them. Still the new penology grows stronger and more convincing as demonstration is added to demonstration, proof piled upon proof; and the bad ideas, the false assumptions, the vicious practices of our conventional penal system are surely crumbling.

The very center and citadel of the old order which is passing away is the assumption under-

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lying the system of fixed penalties for crimes. It is assumed that for every offense there is an appropriate and invariable penalty, which can be determined in advance by the legislature or discovered through some mysterious illumination at the moment of sentence by the judge. The sentence is to fit the crime. Nothing is easier than to demonstrate a priori the absurdity of this assumption, unless it is to accumulate, a posteriori, instances of its absolute failure in practice. Yet the idea persists. Obviously, there is no such inevitable and natural relation between specific offenses and the prescribed punishment. Obviously, if there were, there must be gross injustice in the complete lack of uniformity with which the punishments are meted out in different states, at different periods in the same state, by different judges, and even in the same court by the same judge on different days.

It would be tedious to repeat the arguments against the system of definite fixed sentences, or to reproduce the comparative tables of sentences which expose its absurdity and destroy every ves-

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tige of respect which one might have retained for so venerable and universal an institution. The assumption that there is a just and natural penalty for every crime is false. It must be abandoned.

And yet, in times past this assumption had its justification. There are regions where the recognition of the principle today would be progress. As against arbitrary punishments, having not even a theoretical relation to the offense, the system of definite punishments is certainly to be preferred. As a protection against tyranny it is well to have a penal code, to which the people or their freely chosen representatives must give their assent, a code roughly at least corresponding to popular ideas as to the relative gravity of different offenses; a code which fixes maximum penalties and determines definitely which particular acts or omissions shall be considered crimes, leaving nothing to the despotic will of the ruler. It is conceivable that conditions may again arise among us in which such safeguards are necessary. Individual civil rights, including the right to trial by jury and the right to be punished within measure by a scale

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determined and known in advance, have been secured at a great price and may not be lightly thrown aside. Herein lies the strength of the system which we now find on its merits so unsatisfactory and so essentially unjust.

Our dangers lie in a different direction. It is not the autocrat, but the outgrown social institution, against which society requires protection. Not the legislature or the executive, but the constitution and the prevailing judicial and administrative procedure, are in the way of progress; or rather, carrying the analysis one step farther, our difficulties are not so much with the constitution and procedure, as with our own reluctance to amend and modernize them. Knowledge and conviction have gone far ahead of existing mechanism and habit. The clash is none the less real because it is not between two distinct classes, between a ruling class and a revolting class, for example; but rather between our own selves of tradition and habit on the one hand, and on the other hand our selves of the present environment and new standards.

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These conflicts with our own inherited traditions and habits are perhaps the most exasperating and tragic of all. Leaders are scarce in such conflicts. There are generals enough for any war against an external foe. Political leaders arise in abundance when the time comes to smash the trusts or curb the railways. But in the more critical and the more vital tasks of transforming our institutions and methods to make them fit our present needs we require leadership of a somewhat different kind. There are of course conspicuous examples of leaders who have capacity in both directions; and these are the natural heroes of social progress.

Next in importance after the false assumption of the possibility of adjusting penalties to crimes, and prior to it in time, are the traditions of vengeance and expiation. It may well be that our new scheme of penology, as Professor Adler has suggested, will still give some place to all the various sanctions which historically have entered into the social conception of the relation of society to crime. Perhaps we shall always to some extent

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think of punishment as expiation and as the execution of vengeance. The trouble is that as yet we give these elements an altogether undue place in our thoughts.

The underlying idea of the new penology is social defense. The means to that end are three: prevention, reformation of the corrigible, and isolation of the incorrigible. All the new features of the social treatment of crime grow naturally from this central conception of social protection, and all would seem to be illustrations of one or another of the three means by which we seek to give effect to it. Reformatory, indeterminate sentence, probation, probationary fine, juvenile court, employment of prisoners at educational tasks, separation of corrigible from incorrigible, parole, aid to discharged prisoners, modern prison architecture and sanitation, the definite organization of preventive educational agencies, the socializing of our police, and the very reform of government in order to bring it into closer accord with our ideals of justice—these things, together with others like them, make up

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our new penology, and the unifying conception underlying it all is social protection. We think less of the atrocity of particular crimes now-a-days and more of the social order in which the temptation and the opportunity to commit crime are at a minimum. We think less of the personal depravity of the individual criminal and more as to what, if anything, we can find in him out of which to make a law-abiding and useful citizen.

The new penology is not sentimental. The slightest acquaintance with the writings of its apostles will sufficiently indicate the contrary. At least in its present transitional stage, the average term of restraint which it imposes is considerably longer than in the penal system which it displaces. It sentences, however, to a hospital by preference rather than to a dungeon. It sentences to cleanliness, good food, and wholesome discipline, and not to infection and degradation. Its sentences are not relished by professional criminals and their lawyers, and they are imposed reluctantly by courts in which precedent and tradition create the stifling atmosphere of

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despair. But its sentences are endorsed by the regenerated and cured ex-convict, and they come with enthusiasm and confidence from jurists who have in their nostrils the fresh and invigorating atmosphere of humanity and science.

Fixed sentences, imposed under the impulse of vengeance on a conviction resulting from a prosecution in which vengeance is the controlling motive, have been the chief obstacle to overcome; but unsanitary and unsupervised jails and prisons of inappropriate construction are a close second. In the long controversy between the Pennsylvania system and the Auburn system—solitary confinement vs. congregate labor under the rule of silence—this generation takes only a historical and academic interest. If half the indignation inspired by Charles Dickens's story of a German prisoner dying of solitary confinement in the Eastern Penitentiary had been expended on more fundamental questions, we should have made greater progress. The warden may well chuckle over the fact that long after the novelist was gathered to his fathers the dying German was yet

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alive and serving another term in prison. For us he points another moral. Being yet alive we naturally expect to find him serving another term. This, under the old penal system, is the natural fate of the ex-convict. What is he good for except to serve another term?

Pennsylvania and Auburn were both great improvements on earlier prisons, but neither was ever able to show its real capacity for reformation. Both have been overcrowded. Both have had to deal with inmates sentenced for definite periods, with only a narrow margin of discretion. Both have been handicapped by lack of educational facilities. Both have had to keep prisoners in idleness because of foolish prison labor legislation. Both have lain under the blight of party politics. Both have been essentially prisons, with no opportunity to make the natural differentiation into reformatory on the one hand, and colony for permanent segregation on the other. They have had in common so grievous a heritage of ignorance, prejudice, and misunderstanding on the part of the public, that the controversy in which

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their respective partisans engaged seems ludicrously insignificant. Yet it was not without its educational value. Earnest men cannot write scores of papers and addresses in such a controversy without touching now and then the bed rock of common sense and sound judgment, and the new penology is built largely upon the conclusions of these controversialists.

Solitary confinement as a general rule of prison life is no longer defended. The rule of silence is subject to frequent suspensions. Architecture and construction are to be determined by the two-fold function: training, reformation, education, for all who are capable of profiting by it; humane segregation on the analogy of a hospital for the incurably insane, for those who cannot be entrusted with liberty. This is at least the ideal of the new penology. It demands cleanliness, sunlight, opportunity for useful occupation, facilities for education, especially for industrial and agricultural training; and it involves the abolition of the local jail as a place for the treatment of convicted offenders.

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Centralization of all penal and reformatory institutions in the hands of the state is a specific reform to which first attention may well be given. It is futile to rely on local interest to keep the jail in order. The plan has been tried and fails. The state prosecutes and convicts. The state alone can carry out a comprehensive and effective scheme of correction and segregation.

The abolition of sheriff's fees and the systematic visitation of jails will accomplish something, but thorough-going reform involves a transfer from local to state control, analogous to the transfer of responsibility which has had such excellent results in the case of the insane. As a result we should secure buildings better adapted to the modern idea of social protection through reformation or segregation. We should have more efficient and continuous and authoritative inspection. We should have more reforms and fewer scandals. We should at least have the possibility of knowledge as to what is happening. We should have a better opportunity for the introduction of systematic and continuous

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acquaintance with the prisons by competent voluntary visitors, analogous to the visitation of public charitable institutions to which we are already accustomed, and in which the prison societies have made a beginning.

The new penology concerns itself less with what is done in penal and reformatory institutions and in courts—radical as are the changes which it would introduce there—than with agencies for prevention. Crime in the last analysis is not to be overcome after arrest, but before. Schools, churches, playgrounds, settlements, trade unions, and charitable societies—agencies of social progress and of social reform, public and private—are the handmaidens of the new penology. We shall transform police, courts, and prisons when we have further transformed society, and the forces which help to raise and give stability and vitality to our standards of living and our standards of action are the forces to which in the end the bad features and the obsolete features of the existing penal system will yield. The environment is transformed by child-labor laws and the protec-

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tion of children, by housing laws and improved sanitation, by the prevention of tuberculosis and other diseases, by health-giving recreational facilities, by security of employment, by insurance against the fatalities of industry and the financial burdens of death and disease, by suitable vocational training, by all that adds to the content of human life and gives us higher and keener motives to self-control, strenuous exertion, and thrift. The stronghold of crime is social misery. The cure for misery is better adjustment of social elements to one another and to the infinite possibilities of the environment.

The new penology is of the warp and woof of all rational progress. Hence he was a foolish man who proclaimed that the societies of the class in which he was interested would attend to their business, and that others must attend to theirs. There is no private enclosure for any group of social agencies from which others who care for their fellow men, and even the state itself, can be warned off. The failure of one is the concern of all. The efficiency of all is the concern of each.

VI

THE PROBLEM OF THE POLICE

Earl Hall, Columbia University, February 10, 1910, before the Law Department of the Young Men's Christian Association.



VI

THE PROBLEM OF THE POLICE

SINCE the time when our police force earned its sobriquet of "the finest", we have had certain very admirable traditions in its rank and file. There is a tradition of personal bravery which is a splendid asset in any body of a semi-military character. There is a tradition of a readiness to risk life in order to save a person from drowning, from death in a burning building, and similar dangers which are all too common in any great city. There is a tradition of courtesy to strangers or citizens who require information as to how to reach their destination and similar matters. There is a tradition of loyalty and obedience and discipline—which may indeed be displaced and abused, but which is in itself a

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valuable asset, awaiting only disinterested and commanding leadership to hold it for the service of the city, to which it naturally belongs. Bravery, self-sacrifice, courtesy, loyalty, discipline, are qualities rare enough that we should not fail to appreciate them, and yet so common among policemen and other peace officers in this country as not to excite special comment. So much the better.

Looking for a moment at our police system in New York, aside from its personnel, we find other excellent points. That there is a responsible commissioner, a single-headed administration, is clearly most advantageous. We have had experience with bi-partisan and quadruple-headed boards which has settled that point as long as their memory remains with us. That the commissioner has complete power to transfer and discipline is logically involved in the existing system, although it has been only gradually and by recent legislation secured. That he is not a professional policeman, who has risen from the ranks, I believe to be an advantage—though that is too large

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a question to discuss here. That policemen are appointed after physical and mental civil service examination and hold office under a merit system for life or until reaching the retiring age, with good pay in the meantime and a retiring pension, are all conducive to a good selection, to the maintenance of efficiency, to the securing of those advantages of experience and devotion which go naturally with a secure tenure, and that freedom from undue temptation which fair compensation and provision for old age should ensure.

With such ideal conditions in the administrative machinery and in the personnel of the force it would appear as if there should be no police problem. What more do we want? What we want, in a word, is the socializing of the ideals and methods of our police system. Negatively, this means cutting out graft, corruption, favoritism, political influence, and partnership with criminals, and it means the substitution of courtesy for brutality towards persons who happen to come within the power of policemen. Positively, it means taking a wholly different attitude towards crime and

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alleged criminals. It means the absorption of the police into a social scheme for the actual prevention of crime, and to that end a logical and permanent disposition of the case of each criminal whenever any anti-social act on his part gives society a legitimate opportunity to make such appropriate and permanent disposition.

Any one who observes individual policemen will see that many of those who have been for some time on the force are physically and mentally unfit to deal effectively, humanely, considerately, and radically with offenders against the law. They are logy, heavy, lazy, stupid, dependent upon their clubs and their pull. Evidently they have not been living up to the best traditions of the force. They have not been plunging into the river or even keeping themselves alert on their posts. If we really want a social police force we shall have to retire some policemen at an earlier age, or devise some system of exercise that will keep them in better physical and mental condition.

The clubbing policeman, who has been much in the public eye since Judge Gaynor became a

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candidate for mayor, is no myth. The abuse of the authority which we delegate to the policeman has been flagrant and cruel. We have shut our eyes when crowds are handled roughly because we recognize the importance of order, and the policemen are our ushers, or marshalls, on whom we must rely. Our tolerance begets a recklessness which is not confined to public meetings and the vicinity of strikes, but visits the helpless prisoner in his cell when the policeman with a grievance administers his own revenge, and even in the sacred privacy of a home, where also without warrant or sanction of law a policeman sometimes takes his grievance and personally executes a sentence he has taken it upon himself to impose. Clubbing, entering into private quarters without warrant, persecution of individuals, administering of the third degree, laying traps for one offender and standing in with another, are all characteristics of an anti-social police system.

In his good points and in his defects the New York policeman is the American policeman. Our system is the American system, and both in New

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York and elsewhere the worst thing about it—far more serious than clubbing or oppression, bad as these are—is what is known as the system itself, in the technical sense, that is, the independent organization outside the force and inside, for graft, for power, and for money. Whether this system is at any given moment an actual business syndicate with every ascending step definitely organized, is open to question. Of course, if it were known positively that it is, and there were legal evidence of the fact available to the district attorney and courts, there would be prosecution and punishment and a breaking up of the system. But common knowledge, widespread belief, or even grave suspicion, may afford sufficient ground for public discussion and for remedial and preventive measures.

Even though no one who is willing to speak is in position to make accusations against particular individuals, it is commonly believed that there is a corrupt alliance between men inside and men outside the police department, for pecuniary gain, for political power, and for perquisites of various

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kinds; although originally the system apparently grew up not for gain, or for power, or for perquisites, but simply for self-defense. At a time when policemen did not have civil service protection, when assignments and transfers and easy details and even dismissals were matters dictated largely by petty bosses outside the force, it was very natural that policemen should have learned to stand together in defense of their just rights. Inquisitive political investigating commissions might force themselves into the complex relations of policemen with business interests and with the criminal classes and discover that some particular inspector, captain, wardman, or detective was crooked. The policemen might feel reasonably sure that from their particular point of view he was not a crook but a good fellow in momentary hard luck. Sympathy for the victim and fear for their own safety compelled effective organization. In order that they might meet the demands of the political machines on equal terms, in order that they might protect those of their own ranks who fell into misfortune, illness, discharge,

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or what not, the secret organizations were formed, independent of each other in the various ranks—patrolmen, sergeants, and lieutenants—but acting together when occasion arises. These organizations have their legitimate beneficial features, and I do not wish to suggest that their treasuries are used for unlawful or corrupt purposes. I have referred to them only as the internal organization independent of the official administrative relations, through which policemen have learned to act together, compactly and effectively, and have made themselves wellnigh superior to law and to public opinion.

The real sources of corruption are first of all the saloon, with the motive at hand in its desire to be in position to disregard Sunday closing and other regulations which interfere with its profits and what it considers its legitimate freedom of action; and the disorderly house or apartment, which undoubtedly pays for protection as regularly if not so handsomely as in the old days of the captain's ward man. The gamblers, the confidence men, the thieves, and the pickpockets, although

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subject to arrest and prosecution from time to time, are nevertheless also a part of the system in that there are ways of continuing in "business" without interruption or with occasional interruptions if they have the right backing and are ready to pay the price.

To be right with the powers that be is to have the privilege of preying on society in unlawful ways. To belong to the order of I R's—the In Rights—is to be of the elect in a freemasonry which is beyond the reach of magistrate or grand jury. It is to be in the unofficial service of some one who has power to give protection. This protection is not absolute and may be suddenly withdrawn for prudential reasons, but within limits it is a safe reliance. The policeman himself has been known to be the proprietor of a game of chance which has no legal standing, and arrests or threats of arrest are very often only the preliminary steps in a shake-down process, which could succeed only as a part of a well-established system. The white slave traffic is probably not organized by a business syndicate whose con-

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spiracy can be established, but that there is a very pronounced community of interest among procurers, both importing and domestic, and well-established business relations between them and the proprietors of disorderly houses in this and other states, has been shown conclusively and has long been notorious.*

The sources of corruption are not to be found entirely in the saloon, the disorderly house, the gambling den, and the haunts of recognized criminals. More reputable kinds of business, such as hotels, hack-stands, theaters, lodging houses—all who in the line of regular business want special privileges, from push-cart peddlers to wholesale grocers—contribute to the stream of corruption, and the tentacles of the system reach as far up into the circles of respectability as they go down into the circles of open infamy. Any business which is hedged about by numerous and complicated municipal ordinances can be conducted more smoothly and

* This opinion coincides with that reached by a special grand jury, which was then investigating the subject.

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cheaply by paying than by complying. The ordinances appear often to be but the natural basis for the demand to pay,—although there is not much reason to charge that this is historically their explanation. Rather they are a monument to our crude and piecemeal law-making in local affairs.

The negative task of cutting out this system, root and branch, at various times has enlisted the services of some of our ablest lawyers and citizens. Legislative commissions have stirred to its depths the moral indignation of the community, and Theodore Roosevelt himself, who has been able to expose and bring to the bar of justice some of the greatest of corporate malefactors, wrestled in vain, although admittedly under less favorable conditions than prevail at present, with the problem of separating the police administration of the city permanently from these insidious and multi-fold corrupting influences.

Even if that were fully accomplished, and every trace of underground connections between the police on the one hand and politics and plunder on

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the other had disappeared so completely as to give hope that they would never be re-established, the police problem of crime would still be before us, and we should then be ready to attack it. We should at least know then that the police were on our side, the side of society; that they were available, wholeheartedly and without treason, for the serious work of extirpating crime. The establishment of a genuinely social preventive and curative system involves, of course, the consideration of matters with which the police force has nothing to do. It involves such matters as playgrounds and industrial education at one end of a long line of prophylactic measures, and colonies or hospitals for the permanent segregation of confirmed criminals at the other; but at the center, midway between these educational and penological measures, stands the police system, and a radical change in the function and methods of the police force is an integral part of a rational method of dealing with crime.

The barefaced scandal of the permission regularly given to well-known crooks to reside here in

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safety if they will confine their depredations to up-state or Jersey towns; the cool rounding up of these informally licensed parasites whenever it is not considered safe to have them at large in our midst, as during the Hudson-Fulton celebration; the regular employment of petty thieves on the understanding that they may make enough from their "work" to live on, if they will lend a hand now and then to help the officers get other thieves who are not "in right"; the progressive dependence of detectives on such stool pigeons in preference to the more difficult process of finding criminals and getting the evidence by their own hard work,—are further familiar illustrations of what I mean by an anti-social police.

* * * * *

If society had the right attitude towards crime policemen would be primarily concerned with two things: first, with the prevention of unlawful actions; second, with laying the foundations for the right disposition of those charged with crime. The law recognizes the first of these as one of the duties of the police department. Partially and in

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isolated particular ways policemen do warn people not to do this or that. The regulation of traffic affords perhaps the best illustration of such warnings, or directions. The mere presence of the policeman with his raised hand, his slight gesture, and his whistle is usually sufficient to preserve order and secure safety at the most congested crossings. My point is that if the policeman were equally in earnest, if to the same extent he meant business, and if in the same degree the municipal administration were behind him, he could prevent three-fourths of the offenses which instead he allows to become crimes before he acts. Pocket-picking, wire-tapping, bunco games, the keeping of disorderly houses, street soliciting, panhandling, and the defiance of excise laws, could not persist in a city like New York, and would not burden the calendars of the criminal courts, if the police received instructions analogous to those which they receive in regard to the regulation of traffic, and if they obeyed those instructions with bravery, with courtesy, with loyalty, and with discipline.

To bring this about will require not so much a

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change in the law as a change in our whole conception of what our police are for. If they are primarily to make arrests and arraignments and only incidentally to preserve order, that is one thing. If they are primarily to preserve order and see that the laws are obeyed and only incidentally to make arrests and arraignments, that is quite another. The change is one from an obsolete and discredited criminal police system to an enlightened and scientific social police system. It is the difference between barbarism with a veneer of civilization and civilization retaining a club, with regret, as a means of dealing with the remnant of barbarism which it inherits.

The second of the two duties of a social police I have called laying the foundations for a right disposition of persons charged with crime. This function is also recognized, although it is very imperfectly performed. If the policeman happens to know his prisoner and can contribute incidentally some fragments of his history, some circumstantial details of his crime, of his behavior before and after arrest, of his occupation, his

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home life, his character, his prospects, all this is taken more or less unofficially into account. It is our theory that at the trial nothing is taken into account except the evidence as to whether the alleged crime really was committed by the prisoner at the bar; but many things take place at the police station and before an examining magistrate which are not in our theory, and even theoretically when the time comes for sentence there is every propriety in considering previous record, character, and attending circumstances.

Here, however, we fall as far short of our theory as we are apt to go beyond it in the early stages of arrest and preliminary examination. We do not make a permanent disposition: that is, provide really for the reformation of first offenders who can be reformed; for the discharge with or without suspended sentence and probation of those who should not and need not be otherwise punished; for the physical examination and surgical or medical treatment of those who require that and nothing else; for the relief, aid, and encouragement of those who are, properly

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speaking, candidates for that kind of treatment rather than for fine or imprisonment; for the permanent segregation in a hospital, if insane or feeble-minded or disabled, and in a colony with appropriate occupation, if able-bodied, of all those who have shown that they are incorrigible, irreconcilable, utterly unfit for free association with their fellow men; and for an indeterminate sentence at the hands of a competent and trustworthy official or board for those whose needs and character cannot be determined without further opportunity for observation and training.

The court, which knows nothing of a prisoner except what comes out in an ordinary criminal trial, in which the evidence has turned entirely on whether the accused person has or has not done some specific thing which he is charged with having done, has very little on which to base an opinion as to what ought to be done, even though it may have become certain that the prisoner is guilty as charged in the indictment. The law has settled the matter in advance in some cases, usually very unwisely, and in others prescribes the

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limits within which discretion may be exercised. It might be advisable to remove this discretion entirely from the court and impose it upon other bodies especially selected to deal with convicted criminals. The whole machinery of our courts is much better adapted to sifting out evidence and determining guilt or innocence than to handling such questions of education, psychology, reformation, and social economy as are involved in fixing the length of a term of imprisonment or the conditions under which a man guilty of crime can wisely be restored to freedom. But whether these questions are to be decided by the courts, or as at present partly by the courts and partly by the managers of reformatories, parole boards, and others, or entirely by some other agencies, the task remains of securing at the very outset the information, much of which must be obtained then or not at all, on which intelligent decisions can be reached as to the proper final disposition. How meager and unsatisfactory is the information on which a magistrate acts! We would not buy a suit of clothes or accept an invitation to

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dinner on such slight acquaintance with the matter as suffices for a decision which may mean imprisonment for six months, the loss of a job, the blasting of a reputation, the beginning of a career of crime. The French system of inquisition by the presiding magistrate may lend itself to persecution and hardship, but at least it makes possible a disposition based on much more complete knowledge of all pertinent facts.

We are not likely to replace our judicial conception of an impartial umpire presiding over a combat, with challenge and defense, by the inquisitorial procedure; but is it too much to expect that we may so far modify our conception of the duty of the police as to make it include a thorough inquiry into all the circumstances which would enable the magistrate in those cases where he exercises summary jurisdiction to decide more justly and more intelligently what should be done? We have adopted this policy in the children's court, where thorough investigation by agents of the Society for the Prevention of Cruelty to Children is a recognized feature of the procedure.

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Similar duties have here and there been assigned to probation officers in the case of adults. But we have not taken the point of view that the sensible course is to improve every opportunity which an arrest and arraignment present to get the information which will enable society, acting in the first instance through the policeman and the court, to determine, in case a crime has been committed, how to deal with the criminal in such a way as to ensure that he shall cease to be a criminal, to change the current of his life, to alter his environment if necessary, his occupation, his associations, so that he will be constrained to give up his warfare against society.

One consideration only gives me pause. To perform such duties as I have suggested it would probably be necessary that policemen should wear plain clothes oftener than at present. One of the unsolved mysteries of police psychology is the deterioration which accompanies the laying aside of the uniform. Our splendid uniformed officer, with his erect carriage, his air of authority, his easy tone of command, his clear eye, steady hand,

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fit for the traffic squad or any other duty, becomes, not invariably but often, in the twinkling of an eye, when promoted to the coveted detail which puts him into plain clothes, a being of a distinctly lower moral type. He is almost at once ready to do business that will not bear the light, and he knows it, and he shows it. This difficulty would have to be solved, but no doubt there is a solution.

A social police charged with the stern duty of seeing that the laws are obeyed, and with the delicate responsibility of finding out as much as possible about those whom they bring to the bar of justice, in order that instead of getting rid of them as quickly and easily as possible we may do what ought to be done in order to reconcile them to the social order, will require all the good qualities which we so much admire in our force: bravery, self-sacrifice, courtesy, loyalty, and discipline. They will need as much of that knowledge of the underworld as they now have and use sometimes for their own advantage, but they will use it for the good of the state and for the rescue of individuals from the underworld. They will need

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common sense, keen detective instinct, and a law-abiding spirit. They will need all that goes to make up "the finest", and in addition something of the equipment of an investigator, a probation officer, a district visitor, a truant officer. They will need to be human and to realize that their job is, not to make a record in arrests, but to make a record in rescues, rescues from the danger of committing criminal acts, and rescues from the danger of a confirmed life of crime.

VII

RELIGIOUS TREATMENT POVERTY

Third Presbyterian Church, Roches-
ter, New York. Sunday afternoon,
January 6, 1910.

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VII

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IF I may judge from your outline you have been occupied for some two months in a study of religion and the social order. You have traced the present social unrest, and that larger social faith which, no less than unrest, is a sign of our times, to religion in general, to the faith of Israel, to the philosophers, to the incarnation of our Christian belief, and to modern socialism; and you have seen in the resultant of all these influences a new social consciousness with which we must reckon in the treatment of society's derelicts and in the treatment of poverty, in business, in politics, in organized labor, in our conception of the place of women in the state, and in

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our survey of the highway to that ideal society which it is the end and aim of religion, as it is the aim of what we call social work, to establish.

What you have commissioned me to do is to apply the sanctions of religion to the treatment of the poor, to show that poverty is a social product and must be treated with sympathy and with love, with a due sense of our joint social responsibility, and under the inspiration of the profound conviction that if we thus consider the poor, and acknowledge their place in the brotherhood of man, we shall one day find that poverty is no more.

I am aware that both in the Old and in the New Testament there are sayings which have been interpreted to mean that poverty is our everlasting inheritance, but I look for the coming of a prophet who shall say to us as Ezekiel said of a very similar proverb to the elders of Israel: "What mean ye, that ye use this proverb concerning the land of Israel, saying, The fathers have eaten sour grapes, and the children's teeth are set on edge? As I live, saith the Lord God, ye shall not have occasion any more to use this proverb in Israel.

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Behold, all souls are mine; as the soul of the father, so also the soul of the son is mine: the soul that sinneth, it shall die. But if a man be just, and do that which is lawful and right, . . . he shall surely live, saith the Lord God." When the saying in Deuteronomy, that "The poor shall not depart out of the land", and the saying of Jesus, that "The poor ye have with you always and when ye will ye may do them good", are used, as they sometimes are, to discourage radical and effective reform policies, or to postpone the immediate relief of distress, I feel ample warrant for something like Ezekiel's indignant language: What mean ye that ye use this proverb in the land of opportunity? As I live, saith the Lord God, ye shall not have occasion any more to use this proverb in America. Behold, all souls are mine. If a man be just and do that which is lawful and right, he shall surely live, and this implies that he shall have a living income.

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Poverty, in the sense in which there is occasion to discuss it here as a religious and a social prob-

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lem, is that economic condition in which some thousands of our fellow countrymen are living, in which there is actual deprivation of the recognized necessities of life. Food, clothing, and shelter are among these necessities. These are not, however, absolute terms, for food means anything from an inexpensive diet like potatoes, rice, or macaroni, on which whole nations have lived for generations, up to the dissolved pearls which I suppose nourished some portion of the queen's anatomy. Clothing may be represented by the "pants" for which Dooley paid his dollar and eighty cents and felt cheated, or by the exquisite simplicity of the most expensive of Worth's creations. Shelter is provided equally by the lofty tenement of Manhattan and by the humble Newport cottage.

We must therefore go beyond mere enumeration of particular items and consider quality and quantity if we would have a test of poverty. We find a better and more practicable criterion in the conception of the standard of living. The only way in which we can give a pertinent and helpful

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answer to the inquiry as to whether any family or group of families are in that state which we call poverty is to ascertain whether they have an income sufficient to maintain that standard of living with which the public opinion of our day and generation is satisfied: that amount and variety of food which we find to be necessary to maintain health and vigor; that kind and variety of clothing for the several members of the family which we find to be required in our climate, in accord with our opinions as to what is appropriate and reasonable; and again, not shelter alone, but the shelter of a home, sanitary, moral, decent, properly furnished, not congested and not infected, the physical basis for a wholesome family life.

Food, raiment, and a home are fundamentals, but even they are not the whole of our standard of living. Our incomes must provide medical attendance in sickness, education for children, recreation and leisure for adults and children, and a number of other things which scientific students of standards of living are apt to group together as "sundries", asking you to watch the proportion

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of money expended for them as the true indication as to whether the standards are high or low, whether they are rising or falling.

This is not the time to prosecute an inquiry as to what precisely are the elements of a normal standard of living in our American communities, or what it costs in terms of annual income to supply them. Fortunately this has recently been done for us here in the state of New York by a committee appointed for the purpose by the State Conference of Charities and Correction. It was the judgment of this committee that in the city of New York, with the rentals and prices of commodities which prevail there, an ordinary family consisting of man, wife, and three children under the working age—that is, an average family of five persons—cannot maintain a normal standard of living on six hundred dollars a year, or on seven hundred dollars a year, or on eight hundred dollars a year; but that on an income of somewhere between eight and nine hundred dollars such a family, by good management, thrift, temperance, and strict economy, is able to provide

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for the essentials of an adequate standard. It was found in the following year that in Buffalo the cost of a normal standard for a family of six was practically identical with that reported for New York City, except as to rent, in which item there was a difference of \$70 a year, reducing the minimum cost of a fairly adequate standard in Buffalo to something like \$750 a year, an amount which would probably apply approximately also to the city of Rochester.

I do not know how many there are in this city whose incomes are below that standard, or whether there may not be heroic individuals—widows, let us say, carrying the double burden of wage-earner and home-maker—who do manage successfully with less; but we may feel tolerably sure that the majority of those whose incomes are not up to this standard are being carried in some way by the community, by the churches, hospitals, charitable institutions, trade unions, or relatives, or, failing in such supplementary sources of income, that they are undergoing degeneration—often both physical and moral—through not

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having the things which are requisite to enable them to live healthy and normal lives.

Poverty is a social product in at least two ways: first, through the industrial exploitation of workers; and second, through the exploitation of the weaknesses of consumers. Among the causes of poverty which used to appear in our statistical tables lack of employment frequently held a somewhat conspicuous place, but in our American communities, speaking generally, lack of employment is about the most negligible of all the causes of poverty. There may be temporary unemployment from an industrial depression, and there is of course slackness at certain times in the seasonal trades, but generally the demand for labor, skilled and unskilled, is, among us, active and persistent, and under modern industrial developments this demand tends to become less seasonal and more dependable.

There are industrial causes of poverty, however, although they do not take the form of unemployment. We may justly hold industry responsible for the injurious effects of the employment of

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women and children, for the accidents in factories, mines, and quarries, in building and bridge construction, and on the railways—accidents which cripple and kill, leaving women and children dependent upon charity. We may hold industry responsible for the employment of young people in what are called “dead-end” occupations, like the district messenger service, robbing them of the fruitful years of preparation for a suitable lifelong occupation. We may hold industry responsible for the congestion of population in cities where employment is offered, and for the concentration in the most crowded parts of those cities, and thus indirectly we may hold industry responsible for the major part of the evil effects of over-crowding and other bad living conditions as well as for those of bad working conditions. And in holding industry and the captains of industry responsible for these really potent causes of poverty we are but recognizing facts as they are, placing responsibility where alone effective control actually resides. We are rightly accustomed to acknowledge in this country the domina-

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tion of captains of industry. They have had, and have, power, influence, opportunity, pecuniary rewards, all but unrestricted control of the destinies of the industrial population. They have given a good account of their stewardship so far as product is concerned. Can any one claim as much for the results of their social control?

When we take up questions relating to the employment of labor we are apt to appeal to economic forces and the demands of industry as if these were strictly impersonal, almost supernatural things, beyond human control, and scarcely suitable subjects even for human inquiry. What we overlook is that each factory is in turn put up by individual human beings acting for themselves or as agents for stockholders; that some one selects the site and is thus responsible for putting it where labor is abundant, and therefore probably "congested", or elsewhere; that some one decides how to equip the factory, what ventilation and light are to be provided; and finally, whether men, women, or children are to be employed, and even what particular persons, what wages they

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are to receive and what hours they are to work. This selection of labor and the process of coming to terms with those to whom employment is offered may indeed be turned over as one of the less important items of administration to subordinate superintendents; but the officers and directors, the owners and stockholders, are none the less responsible ultimately because they choose to act through agents.

Unless business men wish to put themselves in the position of being willing to exploit weakness and ignorance for their own gain it is incumbent on them to conduct their enterprises in such a way that the health, strength, and character of their employes are conserved and not destroyed. They must refuse to employ children even if they are cheap. They must refuse to employ women under unsuitable conditions or at tasks for which they are physically unfit. They must not permit overwork of men or women. They must limit the speed of machines when the point is reached at which speeding is directly injurious. They must not permit "accidents"—often only a misnomer

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for the clearly foreseeable results of neglect to provide well-known safeguards. They must minimize the risks of dangerous occupations. They must pay living wages. In a word, they must take into account in all their plans the social welfare of their employes, as well as their own financial welfare.

Many employers have always done these things, not from external compulsion, but from a more or less clear recognition of their own natural obligations. On the face of it there is nothing inherently unreasonable in expecting employers to establish and maintain such conditions in their establishments as would bear the searching scrutiny of disinterested students of social conditions. Certainly many men have always felt that if they could not carry on an industry without exploitation they would have nothing to do with it. Just there is the rub. They may stoop to the level of men of low ideals or they may retire, and sometimes these appear to be the only alternatives, neither of which provides for employment under good conditions.

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The elaborate series of labor laws which we now have in every industrial country appear at first sight to be based on the assumption that the captains and lieutenants of industry cannot be trusted to attend to their own affairs, to fulfill their natural and obvious obligations. Why should the state find it necessary to prescribe so many of the conditions of the wage contract, to specify how workers shall be protected from particular dangers, and to maintain a staff of inspectors to see that these regulations are enforced and that obviously unsuitable labor, as for example that of young children, is not employed?

The situation in this respect is in no wise different from that which has always justified state interference in private affairs. Gresham's law in currency, that base coin invariably drives out good coin when both are legal tender, has an analogy in the principle that industry tends always to sink to the level of the lowest standards which any group of employers are grasping enough or careless enough to maintain. As long as the burden of replacing wornout labor by fresh

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vigorous labor does not fall upon the employer there is profit in using up laborers instead of conserving and increasing their strength. In the long run the community suffers irretrievably from this policy, but dividends may be cleared up in the short run, and the losses may be thrown upon the charities and upon the families of the disabled. Ninety industries in which conditions are or might be ideal may be lowered to a lamentable degree by ten reckless industries with whose prices and products the ninety must compete.

State interference is therefore necessary to establish minimum standards. The assumption which underlies the factory laws is not that all manufacturers require restraint, but that some do, and that those who are ready to carry on their industries above the level at which physical and moral welfare is threatened should not be subjected to competition from those who are not.

The second of the specific ways in which poverty may justly be considered a social product is that vice and indulgence in strong drink, which are always, and very properly, put down as per-

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sonal weaknesses, indicating defects of character, are not merely the manifestation of these personal weaknesses and defects. They are also sources of fabulous pecuniary profits to persons who systematically exploit prostitutes and the customers of prostitutes, drunkards and drug fiends, for personal gain. This society permits. These are among our recognized industries—the saloon and its accessories openly so, the brothel not so openly, but with scarce a veil of legal disapproval, and with well-recognized accessories in Raines Law hotels, dance halls, and places of amusement which pander to depravity.

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Assuming that we have satisfied ourselves of the existence of poverty, of the character of it, of the places where it is to be found, and that we have even gotten so far as to say that these, and these, are the particular families and individuals who are at this time and in our community living under its blight, the question for us is, What is involved in the religious treatment of it? How shall we exhibit in our relation to it that love

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and sympathy which religion enjoins? What is religious treatment of poverty as distinguished, let us say, from scientific treatment, or business treatment, or merely human treatment, if such distinctions are possible?

First of all, negatively, it seems to me that we do not mean by religious treatment of poverty the administration of relief by the church in its official capacity. In other words, rector's funds and deacons' alms and even allowances to superannuated ministers are not for a moment to be pronounced religious merely because the agencies that handle them are ecclesiastic or because their beneficiaries have some official relation to the church. Surely it needs no argument that such relief schemes as are carried on within the church may be religious or non-religious precisely as relief schemes outside the church may partake of either character.

Second, it is no test as to whether any particular plan for the treatment of poverty is or is not religious to inquire whether or not it is accompanied by the distribution of religious tracts, by attempts

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to give religious instruction, or to influence in some direct way the religious faith of the one to whom assistance is given. In other words, it is the treatment of poverty itself in which we are interested and not some more or less incidental accessory, even though the accessory be of a most praiseworthy kind.

The treatment of poverty then does not become religious because it takes place in a church or because it is supplemented by religious ceremonial or evangelical exhortation. What is unique and fundamental in the religious treatment of poverty is not in its agents, its accidents, or its accessories, but in its spiritual inspiration. The religious treatment of poverty differs from all other treatment of poverty in that it has behind it spiritual power, the quickening influence of a passion for rescuing a human soul from destruction, a calm faith that every human effort directed toward a good end is in line with the moral order of the universe, that God is in nature and in human history, and that we are his instruments—intelligent, co-operating instruments, with great

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advantage to ourselves, when our will is in harmony with the Divine will; instruments none the less if blind, rebellious, and unreconciled. The religious treatment of poverty lies in its inspiration, not in its mechanics. The religious element is in the field of motive, desire, purpose, not in the field of method, agency, or result. The inspiration certainly influences the result, as it influences the choice of method and of agency, but the inspiration lies behind, and it may use secular agencies and methods as freely as those which have been evolved within the church itself.

The nineteenth century was accustomed to think of itself as an age of steam, as an age of invention, as an age of industrial development, as an age of material wealth and prosperity. It was that, but we see already even in our short perspective that it was much more. It was an age of intellectual power, an age of moral ferment, of unrest, portending the possibility of license and destruction, but promising also emancipation from bad traditions and the possibility of a larger, freer life of the spirit. It was an age of construc-

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tive philanthropy, in which many persons in many lands began to ask themselves the new question, the radical, fundamental question: How may we so shape our economic system and our political system and our social order as to enable each individual to live a rational and normal life, with "fit opportunity in infinite variety" for the exercise of his powers; how may we make the factory, the department store, the railway and the bank, besides yielding pecuniary profits to their legal owners, also contribute to the life, to the substantial welfare of their customers and employes; how may not only the family, the school, and the church, but the state itself, the city, and the nation, help the individual to make more of himself, to realize his possibilities?

This new conception of social responsibility—not absolutely new, of course, but new in its imperative insistence, new in its widespread acceptance, new in its concrete applications, new in its coincidence with that increase of wealth which makes these applications possible—we owe to the nineteenth century, but it falls to us in the twen-

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tieth century to enjoy the first fruits of the seeds which our fathers planted.

The new situation which we have in the church because of the growth of constructive philanthropy lies in this, that there is now at hand a vast array of institutions, societies, committees, foundations, governmental bureaus and departments, all inspired by the idea of social responsibility, all potentially religious in aim and spirit, all ready and eager to become the instrument of religion in its practical mission among the sons of men. The one indispensable element which these secular agencies of social betterment cannot supply is inspiration. The one element which religion alone can supply is inspiration. The charity organization society, the municipal health department, the Russell Sage Foundation, the Forestry service of the national government, are examples of scores of secular agencies, official and voluntary, which can supply the mechanical end of great social undertakings. They can serve as instruments for the accomplishment of social purposes which we accept as vital and as

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practicable, although they are purposes which, as I have just intimated, would scarcely have been understood before the latter part of the nineteenth century and which it falls to us in some measure to achieve for ourselves and our children.

We make an irretrievable error, however, if we assume that these secular agencies will supply their own inspiration; if we ignore the necessity for the direct cultivation and enrichment of the life of the spirit which is in these movements today because of the historic faith of yesterday and of the ages past. If we have not our own religious faith—rich, abounding, living, fructifying faith—the secular agencies will perish, or perhaps become the instruments of the devil, for curiously enough, faith in the evil spirits seems to come easier and in some quarters to last longer than faith in the power of good.

In order that we may have religious treatment of poverty, therefore, the first essential of all is that we shall have religion—a militant, aggressive religious faith, with its deacons and prophets, with its sacraments and sanctions, with its hopes

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and promises, aye, with its commandments and terrors; a historical religion with its festivals and fast days, its holidays and holy days, a religion which makes appeal to reason and to tradition, which commands our loyalty and sanctifies our fellowship; such a religion as Christianity, purified of superstition and enriched by science, alone among the historic faiths, offers to our American people, except for that comparatively small portion of our population for whom the religion of Israel suffices, and except for a few groups of immigrants so small and fragmentary as to be a negligible factor.

For the religious treatment of poverty we must have, in a word, spiritual power, and then quite as essentially we must know how to apply it. How shall that be done? The answer which I must give in general terms is that the churches, which stand among us as the custodian of our religious life, as the concrete embodiment of the inspirational side of social work, must come to a better understanding, a sympathetic, co-operative, and mutually advantageous understanding, with

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the secular agencies in the community which have to do with poverty.

The churches may, of course, as they have in the past, here and there, pursue a very different policy. They may content themselves with developing institutional features within the church itself, supported and controlled by the church, and attaining to whatever dimensions their own personal and financial resources may permit. Or again, the churches may draw the line sharply, though I do not believe this in the least probable, and may say: We have nothing to do with indecent housing, infectious disease, unemployment, low standards of living, poverty and the like; we have only to do with the personal problem of sin and redemption, and we have to do with these only by traditional and conventional methods. But if this second way out—that of ignoring social problems—is no longer tenable, and if the first way out—that of the institutional church—is no longer adequate, however satisfying it may be as far as it goes, is not the other method which I have proposed at once tenable and adequate and

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in line with that rational division of work and co-ordination of forces which underlie all progress and all great achievements?

I have not wished to imply that the church is only one among many equally important moral uplifting agencies which, as we sometimes say, must swing into line with the forces of reform and progress. This would indeed be to belittle and woefully misapprehend an institution which is absolutely unique and apart from all secular agencies. The special province of the churches, as I conceive it, is that of spiritual inspiration and enlightenment, that of personal regeneration, that which has to do with the creation and strengthening of right desires and motives. This special task of personal regeneration and spiritual enlightenment is, of course, of transcendent importance, distinctive, unique, incompatible with the ignoring of social needs and activities, on the one hand, and, on the other, not necessarily implying an attempt to assume the direct responsibility for organizing and carrying on such activities within the church.

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The secular agencies—municipal departments, labor organizations, charitable societies, and investigating and research commissions and foundations—are here in our midst, live, vital, and effective forces available for one or another part of the large social program in which the churches are interested. Ignored, opposed, unjustly criticised, hampered by a failure of co-operation on the part of the churches, they will fail to some extent of achieving their own best ends, and they will be a thorn in the side of the churches. Understood, encouraged, criticised sympathetically and constructively when the occasion arises, defended when they should be defended, and inspired by the leavening and purifying and conserving influences of religion, they will become great factors in the successful carrying out of the social program. They need the churches for the more complete accomplishment of their own objects, and the churches need them as the most economical and sensible and effective way of accomplishing that part of their own object which we are here discussing.

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Father Huntington, at a meeting held this winter in the interests of the Probation Association of the City of New York, pointed out that if, surrounding the little group of experts and devoted workers who are giving their time exclusively or largely to the promotion of that great reform, there could be a vast number of men and women who have clearly and intelligently caught the spirit of that reform, who realize that we all of us are really and truly responsible for the influences that have caused the offending and the downfall of the least of our brothers, the work of such an association would have far greater fruition. He was speaking of the value of such knowledge and such interest as this to the particular cause then under discussion. I am thinking of it at this moment not from that point of view, but from the point of view of the churches themselves in the actual carrying out of a large program of social work.

Is it not obvious that a probation association in which specialists and experts shall be doing their appointed work, but which shall have the ear of

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the churches so that whatever message they have to give shall be heard and understood by the great body of the churches, will be to all intents and purposes an instrument, quite as much as if it were an institution controlled within the church itself, for enabling the churches to meet their social obligations with reference to this particular problem? Is it not obvious that there may be relations, unofficial but none the less vital, between the probation association and the churches, as a result of which the lessons gained in caring humanely and considerately and effectively for offenders placed upon probation may sink deep into the minds of the whole church membership, and thus aid in creating that public opinion on the subject which the churches in the fulfillment of their social mission would desire to have created? What conceivable difference does it make whether the probation officer who gains this experience is directly employed, as is sometimes done, by the churches, or by a voluntary secular agency, or by the state itself?

Here is a special problem to be understood and

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solved, a difficult, absorbingly interesting, and fundamentally important problem, involving issues of personal character, of sin, of regeneration, of salvation or eternal destruction. The churches have no efficient mechanism, and in my opinion they cannot well create an efficient mechanism, to deal directly with it along institutional church lines, but they can easily and quickly get into the most direct touch with it by the process of what I have called coming to an understanding with secular agencies. This means in this instance the courts, the probation officers, the state probation commission, and the probation association, or any other voluntary agency which has taken up this work. The churches should be concerned first of all in understanding it; second, in helping to create the right public opinion in regard to it, so that legislatures may make appropriate laws, so that judges and other public officials may take the right attitude, so that individual probation officers may be wisely selected and faithful in the discharge of their duties, so that when financial support is needed it may be

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forthcoming, and when voluntary service is required that may also be available, and so that there may finally come back to the church from the pulpit, or from those members of the congregation who have in any way participated in it, an account of their stewardship, that they may receive in return whatever reproof or encouragement the churches may have to give.

The charity organization society is another agency all of whose work might conceivably, although in my opinion most wastefully and ineffectively, be carried on within the church corporations. How much better and more effective, looked upon simply as an instrument through which the churches may work out their social program, is the existing undenominational, non-partisan, secular charity organization society, free to come to all the churches with its offer of service, with its special expert skill in its own field, with its knowledge of living and working conditions, limited and imperfect though that knowledge may be, with the confidence of business men which it can so easily gain when it deserves it, with inti-

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mate co-operative relations with municipal departments continuing through changes in politics and the passing of individuals, with its own particular social program, with its strong and definite convictions on certain subjects; placing all these unreservedly at the disposal of the churches, in order that they may do their duty in the light of our larger social gospel; demanding of the churches in return just what it is most profitable for them to give, namely, sympathy and encouragement, criticism when it is necessary, opposition and defeat on particular projects if they are wrong, moral and financial and personal support in the carrying out of those projects that are right; and always at every stage ready to give to the churches such reports of progress, such accounts of stewardship, as the work in hand may suggest.

Organized charity may undoubtedly, under narrow-minded, unimaginative auspices, become cold, mechanical, essentially uncharitable. Inspired by Christian charity and the social spirit, it becomes the very embodiment of constructive

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philanthropy, giving the best opportunity for pastors and laymen—for all good citizens—to work at the same time and in the most effective manner conceivable both for the individual who is in trouble and for the common good. In view of the stirring activity of the charity organization societies and their high ideals, both religious and social, no better advice can be given to the disciple of the Master who desires under modern conditions to follow the spirit of His teachings than to become an active worker in one of these societies, if one has already been established in his community; and, if not, to join with others like-minded in establishing one.

The charity organization society which fulfills its social mission most completely does not lose sight of its original objects: investigating and obtaining relief for individual families who are in distress. Thus its visitors have a legitimate errand when they visit the homes of the poor. They learn simply and naturally of their misfortunes and burdens. As relief is sought first of all from relatives, former employers, and others

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upon whom applicants for relief have some natural personal claim, the original acquaintance with destitution inevitably broadens into some familiarity with the natural resources for its relief, and into a knowledge of the more or less precarious means by which others have managed to save themselves from the precipice of dependence. Personal causes of distress, and especially personal weaknesses such as dishonesty, intemperance, shiftlessness, disregard of family ties, and industrial inefficiency, which at first loom very large in the visitor's foreground, gradually come into a truer perspective and in many instances resolve themselves into problems which are recognized as social. A low standard of living, an imperfect educational system, unsanitary houses, lack of opportunities for play, lack of training for the responsibilities of the housewife, irregularity of work, long hours and low wages, and other sometimes irresistible forces, tending toward the destruction of health and character, take their proper place, first in the minds of individual workers who have construc-

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tive imagination and a large compassion, and finally in the definite program of the societies in which they become the natural leaders. A program of social work in the interests primarily of normal or average persons, aiming to ensure that no one who is as intelligent, as industrious, and as virtuous as his fellows shall come into distress through unforeseeable misfortune, eventually reveals more clearly the fact that there are deficient individuals who need exceptional training, sympathy, and assistance.

It is for these reasons that the charity organization societies offer at the present time so extraordinary an opportunity for useful service. They are not sentimental or sectarian or partisan. On the other hand they are by no means devoid of sentiment, or irreligious, or failing in a sense of civic responsibility. They not only preach investigation as a basis for action, co-operation, and personal service, but they have through a quarter century of careful but courageous experiment developed a mechanism and method by which an unlimited number in every community, of varying

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gifts and inclinations, may actually practice these virtues to their own advantage, to the advantage of the poor, and to that of the community.

From the ranks of organized charity have come forth in the past decade public officials administering their office with a high sense of responsibility; college teachers having something very tangible and vital to teach in the field of social economy; leaders in movements for the prevention of tuberculosis, improved housing, the prevention of child labor, the protection of women and of all engaged in dangerous trades; organizers of special institutions such as the philanthropic pawnshop in New York City, which loans over ten million dollars annually and controls the graver abuses of the old unregulated pawnshop; authors of far-reaching beneficent laws on every aspect of the care of the poor and the lessening of the evils of poverty. Constructive philanthropy, therefore, finds natural expression in these societies and in the leavening influence which their active workers bring back into the churches from which the majority of them naturally come.

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The churches must, in my opinion, entirely abandon the idea that only those agencies are of use to them which they directly control, and must rise to the idea that all agencies are of use to them in which their members do good work, and that those agencies are of the greatest usefulness in which their members do the best work. It is through giving, giving of money, giving of thought, giving of service, giving of ideals, that the churches will gain what the secular agencies, official and voluntary, have for them. It is through putting its membership in quick, personal touch with the results of social investigations, with the actual work of every kind that is in progress, and in this way creating a great body of public opinion and a great body of willing workers and willing givers, that the churches can most directly contribute to those reforms and advances which we recognize as essential. A few men in every great denomination are already keenly alive to social needs. What is requisite is that through the awakening of the churches the whole great body of the churches shall become thus keenly alive.

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I hold it to be safer and more desirable that the eyes of men shall be opened to misery and injustice and great human needs by the churches than that such information should come from reckless agitators, from political demagogues, from sensational newspapers, or through any of the other channels through which too often such information comes. For if it comes through the churches it may be accompanied, and naturally will be accompanied, by the reassurance that in spite of these things there is an over-ruling Providence whose justice and mercy are even now redeeming human society, casting out its misery and righting its injustice, and that every sincere effort by any human being to relieve misery and to right injustice is in line with the moral order of the universe, and will contribute to the earlier and more complete establishment of the kingdom of God on earth.

VIII

THE DOMINANT NOTE OF THE MODERN PHILANTHROPY

Address as President of the Thirty-third National Conference of Charities and Correction, which met in Philadelphia in May, 1906.

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THE dominant note of the modern philanthropy is one which relates the work of charitable relief and reformatory discipline to the all-absorbing social problem. This idea is not that of compassion—though sympathy lies at its root; nor that of justice—though justice, to change the figure, is its corner stone. The doctrine that the state must prevent starvation lest starving men become dangerous is so little the keynote of our charity that it sounds strange in our ears; and equally inadequate, as an expression of the modern philanthropy, is the injunction to withhold alms lest by giving we pauperize. To these ideas we may give grudging assent, or we

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may indignantly, if illogically, repudiate them altogether, but in either event we demand something more and something different. Again, we are not content to give alms merely for the sake of our own spiritual welfare, even according to the most approved canons of secrecy and humility.

The ancient Jewish ideal of not withholding the hand from the poor and the needy, primarily because of a sense of duty and of personal dignity, a sense of what is due to oneself; and the Christian ideal of infinite compassion, of giving twice what is asked, of selling all that one has and giving to the poor, of going two miles when the service of a mile's journey is required, of non-resistance even to malicious demands,—these are indeed noble ideals and they have each their part in lighting our path. It is all very well to feel compassion for the poor, and to act under the guidance of the compassionate impulse. It is all very well not to withhold the hand from the poor if the unfortunate whom we would succor can be made to stand by our friendly service. There is abundant opportunity today in every community, as there has

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been in the past, for charity, for consecrated personal service of these kinds.

The modern philanthropy, reverently recognizing all this, is still unsatisfied. Some with the blind passion of outraged humanity, and some with the patient insistence of the scientific spirit, are giving evidence of a desire to ascertain why it is that people come into our public and private charitable institutions, from foundling hospital to pauper grave, and into our insane asylums, prisons, reformatories, and probation schemes, faster than all our educational processes, our relief funds, and even our consecrated personal service have thus far been able to put the dependents and the delinquents again upon their feet; and why it is that out just beyond the recognized social debtors whom we support there is so large a number whose standards of living are intolerably low, giving constant menace to the health and safety of their children and their neighbors, sources of possible moral and physical infection to all with whom they come into any kind of social or industrial contact.

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If I have rightly conceived the dominant idea of the modern philanthropy it is embodied in a determination *to seek out and to strike effectively at those organized forces of evil, at those particular causes of dependence and intolerable living conditions which are beyond the control of the individuals whom they injure and whom they too often destroy.*

Other tasks for other ages. This be the glory of ours, that the social causes of dependence shall be destroyed. Other work for other agencies. This be the chosen field of philanthropy, that relief shall come at last to those who in the very nature of the case—the child, the sick, the weak—cannot help themselves.

No doubt there are individual as well as social causes of dependence. No doubt the poor, like the rich, have their faults and weaknesses, the consequences of which recoil upon themselves. The moral and religious teachers of the nation, from pulpit, schoolroom, public press and fireside, have their responsibilities for opening the eyes that are blind, for inculcating good habits and preaching the sermons for which there are every-

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where such obvious texts. But since such faults and follies, such weaknesses and sins, are peculiar to no one class, since they are quite as abundant among those who give as among those who receive aid, may we not profitably turn to this other group of evils, evils from which the poor suffer grievously but against which they cannot effectively protect themselves?

I ask your attention to the common element in alcoholism as encouraged by the liquor trust; the cigarette evil as fostered by the tobacco trust; broken health and exhausted resources directly due to poisonous and fraudulent proprietary medicines; other injuries of a similar kind for which manufacturers and sellers of adulterated foods are responsible; the manufacture of sweated goods, with a sharing of the profit between dealer and consumer; the destruction of the health and the sacrifice of the lives of little children in cotton factories, coal mines, glass factories, and tenelement house industries, for the sake of their employers' profits, although in some instances also for their parents' greed; the sending of messenger

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boys of tender years to brothels and hotels, to their great moral injury, that the difference between their wages and the wages of men may go to swell the dividends of a great corporation; the abduction of innocent country girls at hotels and railway stations as a systematic industry, not merely to gratify the evil passions of individuals but also in order that the owners of houses in which prostitution is carried on may receive larger rents, and the renter more substantial profits; the payment of less than a living wage to girls in stores and factories, with sickening indifference to the methods by which the remainder is secured; the organized gambling schemes at race track and in pool room which hold their own in the Empire State by open and shameless bribe to the county fairs;* the erection and management of dwellings which are dark, unsanitary, and indecent, because they are among the gilt-edged investments, yielding not five or six but ten and twenty-five per cent on the capital risked by the speculative builder,

*Race track gambling has been at last prohibited in New York by a law enacted in 1908.

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but yielding also a plentiful harvest of tuberculosis and other disease; yellow journalism avowedly pandering in the one class of journals to a feverish love for excitement, and in the other, usually sold at a higher price, to a morbid desire for salacious literature and suggestive advertisements, but both, as always, for pecuniary profit.

It is a long list, but it is by no means complete. Are not these, and other forces of a like kind, really responsible for the continual accession to the numbers of those who with their children come at last to require our help? And is there not a common element in all these agencies of the evil one, widely as they differ from one another and divergent as their origins and their natural history may seem to be? The love of money is their common root. And this root of these evils, and, as a higher authority has declared, of all evil, is not, at least so far as these evils are concerned, an abstraction, an impersonal devil. On the contrary, it is embodied capital appearing at legislative hearings, or quite as often in the legislature itself, pleading against reform the rights of prop-

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erty, the sacredness of vested interests, the burdensome cost of each measure for the public good, raising the dust of argument to conceal the heavy cost of inaction and neglect.

The plea is made in the name of the rights of property, in the name of legitimate business, but it is a false plea and no legitimate business stands upon so frail a foundation. There are broad-minded, warm-hearted, hard-headed business men to give the lie to the false plea in every branch of industry. If it were not so we should all become socialists at once and have done with an industrial order which must be carried on upon so low a level. Industrial progress has reached a point long since which makes the exploitation of the weak unnecessary. It was always a losing basis of industry when judged from the standpoint of the common good. With the progress in the arts and sciences, with the increased accumulations of capital, with a greater efficiency of labor, with a division of work and an organization of industry as wide as the earth, there remains not a shred of excuse for the employment of little

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children, for unsanitary tenements, for fraudulent food, or for any other phase of manufacture or commerce or living conditions which being interpreted means simply the exploitation of the weak. Legitimate business does not require it, and where it exists, as it does exist on every hand, its motive is predatory—pecuniary gain for an individual with absolutely no social utility to correspond.

Business enterprise invests in improved machinery; business exploitation prefers to use up the lives of children. Business enterprise assumes the cost of accidents and by assuming it learns how to avoid them; business exploitation throws the cost upon the widows and children of those who are sacrificed and pays of its surplus to commercial insurance companies which make their profits by fighting suits for damages instead of lessening accidents. Business exploitation preys upon the weaknesses of men; business enterprise develops their strength.

The reason why there is need in our day as never before for organized, concerted action

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against these serried forces of evil is that there is already organized aggressive action on the other side. It is the financial interest threatened in any reform which makes reform difficult or impossible. Housing reform might still be difficult even if there were not a strong pecuniary interest at stake in the building and renting of unreformed tenements. But it would be easier than it is. Child labor would come to an end in a twelve-month if there were not money to be made in the exploitation of child labor. The gigantic fraud of proprietary medicines would have been exposed and ended long since except for the advertising contracts. The Pure Food bill would have passed the Senate ten years earlier at least if the interests which are involved in the manufacture and sale of impure or dishonestly named foods had not appeared year after year in opposition to the health boards and the reformers.

The Consumers' League would have more success in its efforts if the love of a bargain ingrained in the purchaser were not reinforced by the margin of profit which remains in sweatshop

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products even after their price is fixed at a comparatively low level. The task of the temperance reformers would be enormously simplified if they had only to persuade the intemperate to mend their ways and to convince the young that abstinence is better for them than indulgence. I do not underestimate the difficulty of this positive and necessary work. But what we now have to do in addition, and what we are thus far succeeding very indifferently in doing, is to fight and overcome a powerful organized financial interest, which is behind the saloon, and which is responsible, if there is such a thing as the moral law, for a very large proportion of the alcoholics in our hospitals for the insane, of the "drunk-and-disorderlies" in our jails and prisons, of the non-support cases with which our charitable societies deal, of the dependent children whose parents are adjudged to be unfit guardians.

I have yet to find the reform movement or the philanthropic undertaking which does not at some point or other see its efforts thwarted by some organized opposition which has its root in pecuniary

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profit—unholy, obviously illegal profit, or it may be quite as often outwardly respectable profit, sanctioned by law, and sharing with church and philanthropy, but none the less at bottom anti-social, injurious to health or morals, worthy to be outlawed as soon as its evil nature is understood.

In this warfare against the active pernicious forces of evil in our modern communities the first need is for information. We are all culpably, incredibly ignorant of the very things which it would be most to our advantage and most to our credit to know. I deliberately charge the temperance reformers in this Conference, and there are not so many here as there should be, with complete ignorance as to the reasons for the existence of inebriates. We are wandering in the wilderness of the prejudices and traditions of the temperance crusade. We think men drink because they have not taken a pledge, or because they have not been taught from certain elementary text-books of physiology, or because saloons are licensed, or licensed for too small a sum; but of the far more powerful influences which have their roots in

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greed we hear nothing at all, or only such vague denunciations as are evidently without solid foundations in fearless and exhaustive inquiry.

I charge the managers and officers of institutions for the care of children with ignorance of the causes which have led to the orphanage or the neglect of their wards. Are they on our hands because of essential vices and weaknesses of their parents, or because they were the victims of needless accidents, preventable disease, or industrial exploitation? I have yet to find the report of an asylum or reformatory that deals intelligently and fearlessly with these questions.

I charge the hospitals—directors, superintendents, and physicians alike—with equal indifference or neglect. If things are taken down in the patients' statements on admission to be filed away in the office, if they are guessed at by wise physicians, or told to the nurses in the confidences of convalescence, they are at least not tabulated and set forth in order by the hospitals so that we may shape legislation and social policies upon them. What we get instead is an appeal for funds to build

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and equip new wards, or at most a technical classification of diseases of which the economic and social significance is not at all understood.

Most of all I am constrained to charge my brethren in the charity organization movement itself, which stands pre-eminently for analysis of causes and thorough investigation, with not having at all appreciated the importance of the environmental causes of distress; with having fixed their attention far too much upon personal weaknesses and accidents and having too little sought for the evils which might yield to social treatment and for the anti-social actions of other men for which our families are paying the penalty.

It has been natural when we have seen an indigent consumptive with his hollow cheeks, or a worthless beggar with no signs of manhood left, or a little, prematurely old man of fourteen whose life is apparently done, the fires of his energy all burned out before his time, to ask ourselves what was the personal weakness of this poor fellow, or what was his peculiar misfortune that he has thus been beaten in his struggle with life. Has he

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sinned or his parents that he has thus pitifully lost his chance? There was a place for that inquiry and it did credit to our sense of justice. But would it not be more profitable for us to ask a different question? Will it not be more natural for us to ask, in the spirit of the modern philanthropy, not what is his weakness, but who has exploited him for personal profit? The two inquiries, to be sure, often come nearly to the same thing, for it is of course on the side of our personal weakness that we are most easily exploited, but it may be that the economic inquiry will lead us to a fuller understanding of what has happened, and to some more rational course of action for the protection of others, than the moral inquiry which does not go beyond the personal character of the individual victim.

We have long recognized that the process of pauperization requires a conjunction of moral weakness in the recipient with unwise alms on the part of the donor. Is it not time to recognize that practically all the other forms of degeneracy and dependence require at some stage or other a con-

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junction of some inherited or acquired weakness in the individual and an overt temptation or an unfavorable condition external to him which would ordinarily not be presented at all if it were not to the advantage, apparently, of another party to the transaction? *The most profitable task of modern philanthropy is to find this other party and to deal by radical methods with him.*

My friends, I cannot pretend that this is an easy task. But if we look about we must, I think, admit with profound conviction that the alternative of continuing to care for the fallen and the helpless is also no easy task. The insane and imbecile, the sick and disabled, the widow and the orphan, the immigrant and the unemployed, the intemperate, the delinquent—the social wreckage of every description—would it not be better if we could by any means lessen its amount? The financial burden of the dependence which we now have we measure in part, but the whole extent of it no man knows, and the crushing weight of it is heaviest upon the poor who are themselves upon the margin of dependence.

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If we accept the alternative, that we will throw our energies, so far as our present actual responsibility for the relief of distress will permit, into concerted, organized action against those forces, organized and alert as they are, which flourish by exploiting the weakness of the poor—or of rich and poor alike—we shall find, I repeat, discouraging aspects in the position of our adversaries. The ablest lawyers are retained in their service. Vested interests will appeal, not without just grounds in some instances, to the conservatism of the courts. Inertia, indifference, ignorance, prejudice, and a thousand complications will rise like stone walls before us, and the walls may be covered, as some modern military defenses have been, with barbed wire to lacerate and annoy us.

Against all these obstacles we shall have on our side the spirit of the modern philanthropy. But it is enough; for it comprehends justice. Its aim is conservative: to re-establish the principle of individual responsibility upon the more sure basis of a nearer approach to equality of opportunity. Its method is radical: to strike hard with every

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weapon which is at hand against the organized forces of corruption and injustice and predatory greed.

IX
THE NEXT QUARTER
CENTURY

Prepared for the Twenty-fifth anniversary of the Charity Organization Society of the City of New York, December, 1907. A few paragraphs from this address appear in an editorial in *Charities and the Commons*, November 30, 1907, entitled For the Twenty-fifth Anniversary, which is included in the author's *Social Forces*, New York, 1909.

IX

THE NEXT QUARTER CENTURY

IF the wisest person in New York in 1882, let us say the founder of the New York Charity Organization Society,* had then essayed to forecast the history of the city and of the society for a quarter of a century, she would have predicted some achievements which have not been realized, and she would have failed to foresee some of the particular directions in which progress has been made, and yet I venture to say that she would not have erred greatly in the salient features of that history in the making of which she bore so conspicuous a part.

Surely she would have foreseen that patient, conscientious, and faithful devotion to the welfare

* Josephine Shaw Lowell.

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of individual families which has characterized our volunteer workers and our professional staff in all these years. Surely she would have seen with prophetic eye a long line of those who, coming with burdens heavier than they could bear, have found strength and courage and substantial aid, have found counsel and instruction and discipline, have found the path of temptation and indulgence less seductive, the path of virtue and industry and toil less repellent, because Mrs. Lowell and her associates on district committees and in district offices have done the work which required to be done. Surely also she would have foreseen that from this daily contact with need and this daily experience in its alleviation there would come a recognition of certain gaps in our charitable system, certain institutions to be founded, others to be reorganized, others to be discontinued, as the needs change. No one could have anticipated precisely what needs would thus emerge or disappear, but that there would be such changes and something of their general character it would not have been difficult to forecast.

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So readily did Mrs. Lowell respond to all such opportunities that it requires no great tax upon our credulity to imagine that in her mind's eye when this society was founded there may readily have arisen the landmarks of the future—the registration bureau, the districts, the Charities Building, the Penny Provident Fund, the Provident Loan Society, the publications, the School of Philanthropy, the special work for widows with dependent children, for mendicants, for improved housing, for the prevention of disease. We do not know. She might have missed one or another, and almost certainly from the depths of her sympathy and thought, from her yearning, brooding spirit, yet other means of lessening suffering and of strengthening the character of the poor would have shaped themselves which we have not yet been able to visualize and to call into reality.

Most often I think of that noble conception, which Mrs. Lowell worked out into perfectly feasible form, of a great municipal department—to take the place of our courts and police system and prisons—a department on the reduction, the

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diminution, of crime. If we had a social police, a system of reformation and prevention, if the idea of vengeance were to disappear, and our ineffectual scheme—I will put it more strongly, as she would have done—our pernicious scheme of fines and short terms of imprisonment, were to give way to a strong, scientific, humane department for dealing with those who commit offenses, dealing with them as human beings, and with professional crime as a thing to be stamped out utterly,—then I think that Josephine Shaw Lowell, wherever she may now be engaged in gracious ministry, would rejoice at the fulfillment of the noblest of her still uncompleted visions.

* * * * *

If, then, such a forecast would have been within reason a quarter of a century ago, it may not be utterly unreasonable for us, in our communion at this hour concerning the welfare of the poor, to give a look ahead with an eye of faith,—not to predict particular events or institutions, but rather to trace within the limitations of our powers something of the general course of future progress.

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In the next quarter of a century we shall see here within the limits of the city of New York increased congestion. That which we have seen on the lower east side and the lower west side and the upper east side and the upper west side of Manhattan Island will extend over the few remaining oases, kept comparatively empty for the moment for business needs and for speculation, and then will cover, with irresistible outward movement from the numerous centers already established, the other boroughs of the city of New York and the adjoining country, Long Island, Connecticut, Westchester, and New Jersey, local traffic improvements serving but to widen the territory within which too many people may come to live. With this increased congestion in a wider radius will come a closer assimilation of the conditions which prevail throughout the entire territory. Local communities, Harlem, Bronx, Brownsville, Yonkers, Oyster Bay, Hoboken, Englewood, may gradually lose their individuality, and the evil conditions, the hard conditions, that now distinguish the worst community will have extended

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in greater or less degree to all, until, not a few detached settlements here and there, not an isolated church or mission, not a few charitable societies, but the whole of a great teeming city of millions upon millions of people will have come to understand what congestion means.

The population of New York City will have a quarter of a century from now, as it has today, an abnormal constitution. Here will come in the future, as in the past, it is true, many leaders of men and of events, men of iron, men of learning, men of influence and of power, but even in a more marked degree there will remain here or be drawn hither the parasites of humanity, the weak, the inefficient, the degenerate, those who can live only where there is surplus wealth, those who are at home only where human beings lie huddled together, those who are without initiative, independence, or resource. The weakest of all the immigrants, the most helpless in all the trades, the most reckless among the predatory classes, those who most need hospitals and charitable societies and cheap lodging houses, pickpockets'

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earnings, mendicants' alms—we shall have them all here in abnormal numbers in the most intricate complications, of the most desperate and unmanageable types.

Congestion and an abnormal amount of dependence, serious as they are, are not yet the worst of the evils with which we shall have to contend. There is another more modern, more appalling, more dynamic force among us tending toward destruction of life and health and character, tending therefore, even more than overcrowding or evil associations, toward the creation of dependence and degeneracy, creating the problems for the charity organization society of the next twenty-five years. The evil to which I refer is overwork. It is true that it is but one form of a larger phenomenon, all of whose varying forms are ominous. Long hours of work are but a form of exploitation, and exploitation of every form, whether of employees by employer or of consumers by parasitic middle men, is a destructive and unendurable social evil. Long hours of unremitting, hopeless, and ill-requited toil are

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still, in spite of inventions, in spite of the growth of capital, in spite of better industrial organization, in spite of trade unions, a terrible fact of modern industry. Long hours of hard physical labor are no longer a necessary condition of any industry. There is nothing that is necessary that cannot be produced and brought to the market under reasonable conditions. Being unnecessary and being destructive of human life, they are but a form of exploitation by which one man profits to another's irreparable and uncompensated injury.

Such hours for men are inhuman, unjust, contrary to the interests of society, and a proper subject for legislative restriction as well as for trade union agitation. Such hours for women and for children are not only all this, but tenfold worthy to be condemned, tenfold imperative in their insistent demand for the immediate attention of social workers, law makers, and courts. I would not wish to ignore the comparative point of view. Undoubtedly a few generations ago some people worked harder and for longer hours than now, but owing to the growth of our manufacturing in-

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dustries and transportation and their dependent occupations a very much larger proportion are so employed as to make it possible for them to be overworked, and women and children are in relatively larger numbers among them. Aside therefore from industrial accidents, aside from abnormal rents and extortionate prices at retail, aside from adulterated foods and petty fraud of many kinds, aside from the various forms of exploitation and extortion from which the poor suffer as never before, overwork remains certainly on a large scale, and I fear in increasing seriousness, the one great overshadowing injury of the present day which is worthy to be named with congestion.

Probably we shall have in the next quarter of a century, partly as a result of conditions which we have forecast, an increase of poverty. He is no friend of the poor who in pleasant, superficial optimism can see a spontaneous disappearance of poverty in a community of increasing congestion, increasing attractions for the degenerate classes, and of overwork. The poverty to which I refer

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is not that relative lack of superior comforts, of freedom from the necessity of toil, which is supposed to be beneficial to character; not that condition in life which gives us something to work for; but rather a condition, which we may see abundantly exhibited all about us, in which individuals with the most incessant toil of which they are capable are unable to supply themselves and their children day by day with the necessities of life, a condition in which from one generation to another the standard of living plunges downward. I do not now discuss whether this is all exploitation or in part inefficiency; the appalling fact is there. It is poverty in this sense of absolute physical deprivation creating work for benevolent institutions, giving a scope for private charity on its lowest level, creating an increasing social burden, it is poverty of this terrible unmitigated character that under the conditions to which I have referred will increase with the growth of our city.

* * * * *

It may appear that I have cast a gloomy horizon of our beloved city, but I beg that you will

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notice that from the ordinary point of view I have done nothing of the kind. All that I have said is perfectly compatible with a kind and degree of progress which the best of us in our superficial moods would naturally be inclined to regard as very satisfactory. A great increase in population, whether it be from an advancing birth rate, a lowering death rate, or by attracting adults from other communities, is in itself looked upon as a favorable indication. The growth of industry, the increase of wealth, have long been taken as the principal indices of social progress and prosperity. The founding of universities and art galleries, the multiplication of clubs and pleasure resorts, the creating and building up of charitable institutions, greatly increased efficiency in all departments of government, a high standard of living—even a lavish standard—for the successful classes, a military power and police power quite sufficient to put down all disturbances, even the growth of humane and elevated sentiments among those whose lives are cast in easy places,—these things are quite compatible, at least for so brief a time as

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a quarter of a century, with the development of the unfavorable conditions which I have described, congestion, poverty, and overwork.

There are changes in progress, moreover, very radical and important changes, which favorably affect the welfare of the poor. First of all, there seems to be almost an end of the suffering which comes from commercial crises, industrial depressions, widespread periods of unemployment. I am aware that there are those who believe that even now we are on the brink of a crisis which will bring in its train the attendant evils with which we are familiar. There are fatalistic believers in the periodicity of panics, whether their faith be in sun spots or in some subtler, psychological phenomenon; but if we disregard these theories and consider what has been taking place and what is taking place we shall find, I think, strong foundations for the belief that labor is in greater and in steadier demand, that this demand is more diversified and consequently more stable than ever before, that industrial conflicts are settled with less resort to violence, and that organized labor

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is increasingly becoming, like organized business, a steady and conservative force.

There is another change of which there are already some indications which may develop rapidly within the next quarter of a century. Drink and vice are likely to become less important as causes of unhappiness and misery in the population of our cities. The growth of healthy amusements is already driving a stern competition with the saloon and the brothel for the wages of the laboring man. Both alcoholism and vice are abnormal, unnatural, and essentially unattractive ways of spending surplus income. They will yield, they are yielding, to normal, healthful, attractive amusements when these are presented as alternative. Not all the fierce denunciations of preachers, teachers, and parents combined; not all the warnings of missionaries, friendly visitors, and neighbors; not all the awful examples of those who have gone astray, are so powerful in the moment of acute temptation as an attractive alternative such as Dreamland in Coney Island, the kinetoscope in the Bowery, the cheap theater, the recreation center, out-of-door

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athletic games. If we are willing to provide rational opportunities for enjoyment, and if we will deal with congestion and exploitation, we may confidently expect the healthy appetites, the unspoiled inclinations, the sound heredity, the reasonable training, of the home and the church and the school, to save the growing children, to maintain and to raise ever higher the standards of decency and of rational action.

Undoubtedly here and there an individual with the best environment may go to pieces, but the widespread bestiality of our cities, intemperance and immorality as social phenomena, as frequent causes of dependency and misery, are the product of the two evil conditions upon which I have placed so much emphasis, and of earlier, more primitive conditions which have already disappeared and whose influence will rapidly disappear. In so far as the drink evil and immorality are due to the harder conditions and the cruder temptations of earlier periods and of remote communities, they will disappear of themselves; in so far as they are due to congestion and overwork,

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they will persist and increase until those problems are effectively dealt with.

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If the picture which I have tried to sketch of the progress of events in the next quarter of a century has thus far seemed pessimistic it is not because I have overstated any one single element of it, but because I have, without warrant or justification, entirely omitted thus far one potent factor among the forces that determine the direction of our social progress; a factor more potent than congestion, more potent than the spirit of exploitation, aye, more potent than poverty, though its power be as yet but dimly understood. The element in social progress of which I have taken no account is none other than that for which the Charity Organization Society was founded and for which alone it has the right to exist, namely, organized love. Organized love, I am fain to believe, will not be absent from the life of this great city during the next quarter of a century. On the contrary, it will increasingly force its way first of all into the relief societies and charitable

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agencies, into business and industrial relations, into education and religion, into law making and public administration, into the courts and prisons, and thus, finally, into every department of our social life. It is appropriate then to inquire what forms organized love may be expected to take in its relation to the conspicuously adverse conditions which we have named.

Organized love may not be able within so brief a period as a quarter of a century to prevent congestion, but certainly it will set its face against it with increasing clearness of vision and steadiness of purpose and efficiency of means from year to year, will mitigate its terrors, and rob it of some at least of the victims whom it might otherwise destroy. It will dictate laws and administrative policies by which the worst evils of the old slums will be kept out of the newer centers of population. It will run ahead of subway and tunnel and surface line with its "Thus far and no farther" to many forms of needless hardship to which in the older crowded quarters we have been accustomed. Darkness and dampness and the seeds of infec-

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tion in any great city organized love can completely eliminate. Room to breathe in, room to sleep in, room to live in, room to play in, organized love can ensure. Out of the very adverse conditions which have caused congestion social love can indeed do more than stamp out intolerable evils. Having done so much it has free scope, from the very possibility of working with large numbers, to call forth institutions and agencies which add to the fullness of life, which enrich and beautify even the lives of the poor.

The principal evils associated with congestion can be prevented. The pleasures of solitude, it is true, access to sylvan scenes and unfrequented spots, are incompatible with the presence of the crowd, but it is a question whether even this, apparently the most unsocial of human delights, may not after all become more nearly a universal enjoyment, through some yet unorganized scheme under which the mass of the people may for a time, singly, in families, or in such other larger groups as individuals may desire, without too great expenditure of time or money, be put in

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touch with the uninhabited places. Certain it is that communion with nature should not remain a selfish, exclusive, isolated pleasure, reserved for the fortunate few who do not bear the common burdens or share the common tasks of humanity; and organized love must find the means in the midst of congestion to solve even this paradox.

The difference between a growing population in which there is and one in which there is not an indwelling spirit of organized love, a sentiment of social justice, a desire to ensure the maintenance of a decent standard of living for all alike, will be nowhere more in evidence than in the manner in which they respectively deal with the problems of congestion. I foresee in the next quarter of a century increasing attention by all good citizens to those specific problems—housing, sanitation, streets, parks, playgrounds, transit facilities—which are the problems of congestion. Organized love must deal with them with the help of modern science, with the help of popular education, with the help of radical legislation and a more liberal interpretation by the courts of the

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powers of government, with a less exclusive regard than in the past for vested property interests and a higher appreciation of the value to society of health and vigor and comfort and a high standard of living for every individual who is allowed to be born.

Organized love must face also the spirit of exploitation. It would be rash optimism to predict that the fight between them to extermination will be consummated in a quarter of a century, but here again bounds will certainly be set beyond which, in the name of organized love protecting the weak, commercial greed will not be allowed to go. Organized philanthropy undertook a dozen years ago to deal with the abuses of the pawn-broking system as it then existed. It has succeeded at least measurably; for those abuses, if not eliminated, have at least been fought to a standstill and it is now possible for the poor man to secure a temporary loan upon such securities as he possesses upon terms fairly comparable to the accommodation given by the banker on the application of the man with commercial securities.

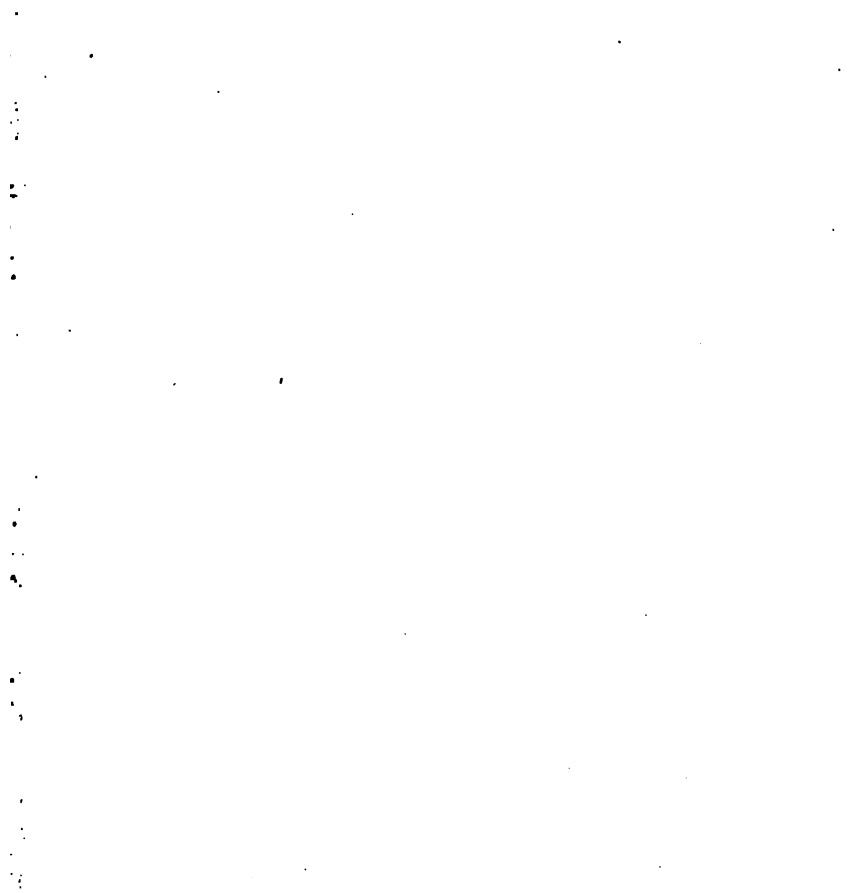
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But life insurance for the poor has not been thus organized, retail trade in groceries and drugs and other necessities of life has not yet been thus organized, and in every branch of ordinary business enterprise there is imperative need, if our competitive system is to endure, that those who organize and direct shall catch the social spirit of the age, shall come to understand that they have responsibilities both toward their employes and toward their customers, toward their fellow workers and toward their beneficiaries. There is no reason why it should appear like sarcasm that those who purchase life insurance are called beneficiaries, or a cause for hilarity that those who seek to educate the public as to its advantages are described as missionaries.

Every kind of exploitation will be dealt with, but most certainly will organized love be called upon to deal with overwork. If the strong men of the community, the men of wealth and of influence, will take the leadership which naturally belongs to them in dealing with congestion and overwork, if they will become responsible for

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writing into the law and court decisions an appropriate expression of organized love in its relation to these two great evils, if they will establish with reference to these two evils appropriate standards of public conscience and business ethics, then we may safely leave to what are ordinarily called organized charities in the narrower sense all that will remain of the problems of dependence in the city of New York.



1. The first part of the document is a list of names and titles, including "The Hon. Mr. Justice" and "The Hon. Mr. Justice".

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